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REGISTER

John R. Ashcroft Secretary of State

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please see the website at sos.mo.gov/adrules/pubsched.

HOW TO CITE RULES AND RSMO

RULES

The rules are codified in the *Code of State Regulations* in this system–

Title	CSR	Division	Chapter	Rule
3	*Code of*	10-	4	115
Department	*State*	Agency	General area	Specific area
	Regulations	division	regulated	regulated

and should be cited in this manner: 3 CSR 10-4.115.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraphs 1., subparagraphs A., parts (I), subparts (a), items I. and subitems a.

The rule is properly cited by using the full citation; for example, 3 CSR 10-4.115, NOT Rule 10-4.115.

Citations of RSMo are to the *Missouri Revised Statutes* as of the date indicated.

Code and *Register* on the Internet

The *Code of State Regulations* and *Missouri Register* are available on the Internet.

The *Code* address is sos.mo.gov/adrules/csr/csr

The *Register* address is sos.mo.gov/adrules/moreg/moreg

These websites contain rulemakings and regulations as they appear in the *Code* and *Registers*.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety, or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the Missouri and the United States Constitutions; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons, and findings which support its conclusion that there is an immediate danger to the public health, safety, or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten (10) business days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the Missouri Register as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

Title 19 – DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30 – Division of Regulation and Licensure
Chapter 1 – Controlled Substances

EMERGENCY AMENDMENT

19 CSR 30-1.002 Schedules of Controlled Substances. The department is amending section (1).

PURPOSE: This amendment updates the Schedules of Controlled Substances to be consistent with 21 CFR Part 1308.

*EMERGENCY STATEMENT: The United States Department of Justice Drug Enforcement Administration (DEA) continually evaluates substances to determine their clinical application and potential for abuse. Based on their evaluation, the DEA issues scheduling actions to place substances in the appropriate controlled substance schedules. The majority of these scheduling actions consist of temporarily and permanently scheduling newly-discovered illicit substances in Schedule I. Proper scheduling of these substances allow law enforcement to take action to prevent the further distribution of these substances. Scheduling substances in Schedules II-V allows practitioners to be informed about the potential for addiction/abuse of the substances and prescribe the substances appropriately. Section 195.015, RSMo charges the department with similarly controlling substances as they are controlled under federal law. Section 195.015.4 requires the Department of Health and Senior Services to submit emergency rules to the Secretary of State within thirty days of a federal scheduling action to allow for similar inclusion, rescheduling, or deletion of controlled substances with this schedule. While this time frame is difficult to achieve given the various approvals and reviews needed prior to the Department scheduling any rule with the Secretary of State, the Department still acts to effectuate these scheduling actions as quickly as possible. This emergency amendment includes all federal scheduling actions since the last amendment of this rule in 2020. This emergency amendment is necessary to protect Missouri's governmental interest in keeping its controlled substances schedules up-to-date as much as practically possible in order to protect its citizens and to aid law enforcement in its prosecution of those who illegally distribute these substances. As a result, the Department of Health and Senior Services finds a compelling governmental interest, which requires this emergency action. A proposed amendment, which covers the same material, is published in this issue of the **Missouri Register**. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri** and **United States Constitutions**. The Department of Health and Senior Services believes this emergency amendment is fair to all interested persons and parties under the circumstances. Subject to section 536.025, this emergency amendment was filed September 12, 2022, becomes effective October 3, 2022, and expires March 31, 2023.*

(1) Schedules of Controlled Substances.

(A) Schedule I shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the Drug Enforcement Administration (DEA) Controlled Substances Code Number set forth opposite it.

1. Opiates. Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:

A. Acetyl-alpha-methylfentanyl (N-(1-(1-methyl-2-phenethyl)-4-piperidinyl)-N-phenylacetamide)	9815
B. Acetylmethadol	9601
C. Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide)	9821
D. N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (Other names: acryl fentanyl, acryloylfentanyl)	9811
E. AH-7921(3,4-dichloro-N-[(1-dimethylamino) cyclohexylmethyl] benzamide)	9551
F. Allylprodine	9602
G. Alphacetylmethadol (except levoalphacetylmethadol also known as levo-alpha-acetylmethadol levothadyl acetate or LAAM)	9603
H. Alphameprodine	9604

*[GGG.]***HHH.** N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (Other name: ocfentanil) 9838
*[HHH.]***III.** ortho-Fluoroacryl fentanyl (N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl) acrylamide) 9852
*[III.]***JJJ.** ortho-Fluorobutyryl fentanyl (N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl) butyramide (Other Name: 2-fluorobutyryl fentanyl) 9846
*[JJJ.]***KKK.** ortho-Fluorofentanyl (N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl) propionamide); other name: 2-fluorofentanyl) 9816
*[KKK.]****LLL.*** ortho-Fluoroisobutyryl fentanyl (N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide) 9853
*[LLL.]****MMM.*** ortho-Methyl acetylfentanyl (N-(2-methylphenyl)-N-(1-phenethylpiperidin-4-yl) acetamide (Other name: 2-methyl acetylfentanyl) 9848
*[MMM.]***NNN.** ortho-Methyl methoxyacetyl fentanyl (2-methoxy-N-(2-methylphenyl)-N-(1-phenethylpiperidin-4-yl) acetamide (Other name: 2-methyl methoxyacetyl fentanyl) 9820
*[NNN.]***OOO.** N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide (Other name: para-chloroisobutyryl fentanyl) 9826
*[OOO.]***PPP.** para-Fluorobutyryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide) 9823
*[PPP.]***QQQ.** Para-fluorofentanyl(N-(4-fluorophenyl)-N-(1-(2-phenethyl)-4-piperidinyl) propanamide 9812
*[QQQ.]***RRR.** para-Fluoro furanyl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)furan-2-carboxamide) 9854
*[RRR.]***SSS.** para-Methoxybutyryl fentanyl (N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl) butyramide) 9837
*[SSS.]***TTT.** para-Methylfentanyl (N-(4-methylphenyl)-N-(1-phenethylpiperidin-4-yl) propionamide (Other Name: 4-methylfentanyl) 9817
*[TTT.]***UUU.** PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine) 9663
*[UUU.]***VVV.** Phenadoxone 9637
*[VVV.]***WWW.** Phenampromide 9638
*[WWW.]***XXX.** Phenomorphan 9647
*[XXX.]***YYY.** Phenoperidine 9641
*[YYY.]***ZZZ.** Phenyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylbenzamide (Other name: benzoyl fentanyl) 9841
*[ZZZ.]***AAAA.** Piritramide 9642
*[AAAA.]***BBBB.** Proheptazine 9643
*[BBBB.]***CCCC.** Properidine 9644
*[CCCC.]***DDDD.** Propiram 9649
*[DDDD]***EEEE.** Racemoramide 9645
*[EEEE.]***FFFF.** N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (Other name: tetrahydrofuranyl fentanyl) 9843
*[FFFF.]***GGGG.** Thiofentany (N-phenyl-N-(1-(2-thienyl)ethyl-4-piperidinyl)-propanamide 9835
*[GGGG.]***HHHH.** Thiofuranyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylthiophene-2-carboxamide (Other names: 2-thiofuranyl fentanyl; thiophene fentanyl) 9839
*[HHHH.]***IIII.** Tilidine 9750
*[IIII.]***JJJJ.** Trimeperidine 9646

2. Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

A. Acetorphine 9319
B. Acetyldihydrocodeine 9051
C. Benzylmorphine 9052
D. Codeine methylbromide 9070
E. Codeine-N-Oxide 9053
F. Cyprenorphine 9054
G. Desomorphine 9055
H. Dihydromorphine 9145
I. Drotebanol 9335
J. Etorphine (except hydrochloride salt) 9056
K. Heroin 9200
L. Hydromorphinol 9301
M. Methyldesorphine 9302
N. Methyldihydromorphine 9304
O. Morphine methylbromide 9305
P. Morphine methylsulfonate 9306
Q. Morphine-N-Oxide 9307

R. Myrophine 9308
S. Nicocodeine 9309
T. Nicomorphine 9312
U. Normorphine 9313
V. Pholcodine 9314
W. Thebacon 9315

3. Opiate Similar Synthetic Substances. Substances scheduled by the United States Drug Enforcement Administration as substances that share a pharmacological profile similar to fentanyl, morphine, and other synthetic opioids, unless specifically excepted or unless listed in another schedule. These substances are –

A. Butyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide) 9822
B. U–47700 (3,4-Dichloro-N-[2-(dimethylamino) cyclohexyl]-N-methylbenzamide) 9547
C. N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide (Other name: valeryl fentanyl) 9840

4. Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation, which contains any quantity of the following hallucinogenic substances or which contains any of its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation (For purposes of paragraph (1)(A)4. of this rule only, the term isomer includes the optical, position, and geometric isomers.):

A. Alpha-ethyltryptamine 7249
Some trade or other names: etryptamine; Monase; alpha-ethyl-1H-indole-3-ethenamine; 3-(2-aminobutyl)indole; alpha-ET; and AET;
B. 4-bromo-2,5-dimethoxyamphetamine 7391
Some trade or other names: 4-bromo-2, 5- dimethoxy-a-methylphenethylamine; 4-bromo- 2, 5-DMA;
C. 4-bromo-2,5-dimethoxyphenethylamine 7392
D. 2,5-dimethoxyamphetamine 7396
Some trade or other names: 2,5-dimethoxy-amethylphenethylamine; 2,5-DMA;
E. 2,5-dimethoxy-4-ethylamphetamine 7399
Some trade or other names: DOET;
F. 2,5-dimethoxy-4-(n)-propylthiophenethylamine (other name: 2C-T-7) 7348
G. 2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine (2C-P) 7524
H. 2-(2,5-Dimethoxy-4-ethylphenyl) ethanamine (2C-E) 7509
I. 2-(2,5-Dimethoxy-4-methylphenyl) ethanamine (2C-D) 7508
J. 2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine (2C-N) 7521
K. 2-(2,5-Dimethoxyphenyl) ethanamine (2C-H) 7517
L. 2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine (2C-C) 7519
M. 2-(4-Ethylthio-2,5-dimethoxyphenyl) ethanamine (2C-T-2) 7385
N. 2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine (2C-I) 7518
O. 2-(4-Isopropylthio)-2,5-dimethoxyphenyl) ethanamine (2C-T-4) 7532
P. 4-methoxyamphetamine 7411
Some trade or other names: 4-methoxy-amethylphenethylamine; paramethoxyamphetamine; PMA;
Q. 5-methoxy-3,4-methylenedioxyamphetamine 7401
R. 4-methyl-2,5-dimethoxyamphetamine 7395
Some trade and other names: 4-methyl-2, 5- dimethoxy-a-methylphenethylamine; DOM; and STP;
S. 3,4-methylenedioxyamphetamine 7400
T. 3,4-methylenedioxymetham-phetamine(MDMA) 7405
U. 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethylalpha-methyl-3,4 (methylenedioxy) phenethylamine, N-ethyl MDA, MDE, and MDEA) 7404
V. N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4 (methylenedioxy) phenethylamine and N-hydroxy MDA) 7402
W. 3,4,5-trimethoxyamphetamine 7390
X. 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine 7431
Y. Alpha-methyltryptamine 7432
Z. Bufotenine 7433
Some trade and other names: 3-(b-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N, N-dimethyltryptamine; mappine;
AA. Diethyltryptamine 7434
Some trade and other names: N, N-Diethyltryptamine; DET;
BB. Dimethyltryptamine 7435
Some trade or other names: DMT;
CC. 5-methoxy-N,N-diisopropyltryptamine (other name: 5-MeODIPT) 7439
DD. Ibogaine 7260
Some trade and other names: 7-Ethyl- 6,6ß,7,8,9,10,12,13-octahydro-2-methoxy-6, 9-methano-5H-pyrido [1',2':1,2] azepino[5,4-b] indole; Tabernanthe iboga;
EE. Lysergic acid diethylamide 7315
FF. Marihuana 7360
Some trade or other names: marijuana;
GG. Mescaline 7381
HH. Parahexyl 7374
Some trade or other names: 3-Hexyl-1- hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl- 6H-dibenzo[b,d]pyran; Synhexyl;
II. Peyote 7415
Meaning all parts of the plant presently classified botanically as Lophophora williamsii Lemaire, whether growing or not;

the seeds thereof; any extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or extracts;

JJ. N-ethyl-3-piperidyl benzilate 7482
KK. N-methyl-3-piperidyl benzilate 7484
LL. Psilocybin 7437
MM. Psilocyn 7438

NN. Tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis 7370 plant), as well as synthetic equivalents of the substances contained in the cannabis plant or in the resinous extractives of such plant, and/or synthetic substances, derivatives, and their isomers, or both, with similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following:

(I) 1 cis or trans tetrahydrocannabinol and their optical isomers;

(II) 6 cis or trans tetrahydrocannabinol and their optical isomers;

(III) 3,4 cis or trans tetrahydrocannabinol and its optical isomers; and

(IV) Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions are covered;

OO. Ethylamine analog of phencyclidine 7455

Some trade or other names: N-ethyl-1- phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl)-ethylamine, cyclohexamine, PCE;

PP. Pyrrolidine analog of phencyclidine 7458

Some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine PCPy, PHP;

QQ. Thiophene analog of phencyclidine 7470

Some trade or other names: 1-(1-(2-thienyl)- cyclohexyl)-piperidine, 2-thienyl analog of phencyclidine, TPCP, TCP;

RR. 1-(1-(2-thienyl)cyclohexyl) pyrrolidine 7473

Some other names: TCPy;

SS. Salvia divinorum
TT. Salvinorin A
UU. 3-Fluoromethcathinone 1233
VV. 4-Fluoromethcathinone 1238
WW. Mephedrone, or 4-methylmethcathinone 1248
XX. Methylenedioxy-pyrovalerone, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone 7535
YY. Methylone, or 3,4-Methylenedioxy-methcathinone 7540
ZZ. Quinolin-8-yl 1-pentyl-1Hindole-3-carboxylate (PB-22; QUPIC) 7222
AAA. Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (5-fluoro-PB-22; 5F-PB-22) 7225
BBB. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1Hindazole-3-carboxamide (AB-FUBINACA) 7012
CCC. N-(1-amino-3, 3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (ADB-PINACA) 7035
DDD. (1-pentyl-1H-indol-3-yl) (2,2,3,3-tetramethylcyclopropyl) methanone (Other names: UR-144, 1-pentyl-3-(2,2,3,3-tetramethylcyclopropoyl)indole) 7144
EEE. [1-(5-fluoro-pentyl)-1Hindol-3-yl](2,2,3,3-tetramethylcyclopropyl) methanone (Other names: 5-fluoro-UR-144, 5-F-UR-144, XLR11, 1-(5-fluoropentyl)-3-(2,2,3,3-tetramethylcyclopropoyl)indole) 7011
FFF. N-(1-adamantyl)-1-pentyl-1Hindazole-3-carboxamide (Other names: APINACA, AKB48) 7048
GGG. 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (Other names: 251-NBOMe; 2C-I-NBOMe; 25I; Cimbi-5) 7538
HHH. 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (Other names: 25C-NBOMe; 2C-C-NBOMe; 25C; Cimbi-82) 7537
III. 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (Other names: 25B-NBOMe; 2C-B-NBOMe; 25B; Cimbi-36) 7536
JJJ. 4-methyl-N-ethylcathinone (Other names: 4-MEC; 2-(ethylamino)-1-(4-methylphenyl)propan-1-one) 1249
KKK. 4-methyl-alphapyrrolidinopropiophenone, (Other names: 4-MePPP; MePPP; 4-methyl-α-pyrrolidinopropiophenone; 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)-propan-1-one) 7498
LLL. alphapyrrolidinopentiophenone (Other names: α-PVP; α-pyrrolidinovalerophenone; 1-phenyl-2-(pyrrolidin-1-yl)pentan-1-one) 7545
MMM. Butylone (Other names: bk-MBDB; 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one) 7541

NNN. Pentedrone (Other names: α-methylaminovalerophenone; 2-(methylamino)-1-phenylpentan-1-one) 1246

OOO. Pentylone (Other names: bk-MBDP; 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one) 7542

PPP. Naphyrone (Other names: naphthylpyrovalerone; 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one) 1258

QQQ. alpha-pyrrolidinobutiophenone (Other names: α-PBP; 1-phenyl-2-(pyrrolidin-1-yl)butan-1-one) 7546

RRR. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide (Other names: AB-CHMINACA) 7031

SSS. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1Hindazole-3-carboxamide (Other names: AB-PINACA) 7023

TTT. [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone (Other names: THJ-2201) 7024

UUU. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide (Other names: MAB-CHMINACA; ADB-CHMINACA) 7032

VVV. methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate (Other names: 5F–ADB; 5F–MDMB–PINACA) 7034

WWW. methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate (Other names: 5F–AMB) 7033

XXX. N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide (Other names: 5F–APINACA, 5F–AKB48) 7049

YYY. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (Other names: ADB–FUBINACA) 7010

ZZZ. methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate (Other names: MDMB–CHMICA, MMB–CHMINACA) 7042

AAAA. methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate (Other names: MDMB–FUBINACA) 7020

BBBB. methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3-methylbutanoate (Other names: FUB–AMB, MMB–FUBINACA, AMB–FUBINACA) (7021)

CCCC. 1-(1,3-benzodioxol-5-yl)-2-(ethylamino) propan-1-one (ethylone) 7547

DDDD. Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (Other names: NM2201; CBL2201) 7221

EEEE. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide (Other name: 5F-AB-PINACA) 7025

FFFF. 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide (Other names: 4-CN-CUMYLBUTINACA; 4-cyano-CUMYL-BUTINACA; 4-CN-CUMYLBINACA; CUMYL-4CNBINACA; SGT-78) 7089

GGGG. methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3-methylbutanoate (Other names: MMB-CHMICA; AMB-CHMICA) 7044

HHHH. 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-pyrrolo[2,3-b] pyridine-3-carboxamide (Other name: 5F-CUMYL-P7AICA) 7085

IIII. N-ethylpentylone (Other names: ephylone, 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one) 7543

JJJJ. methyl 2-(1-(4-fluorobutyl)-1H-indazole-3-carboxamido)-3, 3-dimethylbutanoate (4F–MDMB–BINACA, 4F–MDMB–BUTINACA) 7043

KKKK. 1-(4-methoxyphenyl)-N-methylpropan-2-amine (Other names: para-methoxymethamphetamine, PMMA) 1245

LLLL. ethyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate (other name: 5F-EDMB-PINACA) 7036

MMMM. methyl 2-(1-(5-fluoropentyl)-1*H*-indole-3-carboxamido)-3,3-Dimethylbutanoate (other names: 5F-MDMB-PICA; 5F-MDMB-2201) 7041

NNNN. N-(adamantan-1-yl)-1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamide (other names: FUB-AKB48; FUB-APINACA; AKB48 N-(4-FLUOROBENZYL)) 7047

OOOO. 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1*H*-indazole-3-carboxamide (other names: 5F-CUMYL-PINACA; SGT-25) 7083

PPPP. (1-(4-fluorobenzyl)-1*H*-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl) methanone (other name: FUB-144) 7014

QQQQ. *N*-Ethylhexedrone (Other names: α-ethylaminohexanophenone; 2-(ethylamino) -1-phenylhexan-1-one) 7246

RRRR. *alpha*-Pyrrolidinohexanophenone (Othernames:α-PHP;α-pyrrolidinohexanophenone; 1-phenyl-2-(pyrrolidin-1-yl)hexan-1-one) 7544

SSSS. 4-Methyl-*alpha*-ethylaminopentiophenone (Other names: 4-MEAP; 2-(ethylamino)-1 -(4-methylphenyl)pentan-1-one) 7245

TTTT. 4′-Methyl-alpha-pyrrolidinohexiophenone (Other names: MPHP; 4′-methyl-alpha-pyrrolidinohexanophenone; 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one) 7446

UUUU. alpha-Pyrrolidinoheptaphenone (Other names: PV8; 1-phenyl-2-(pyrrolidin-1-yl)heptan-1-one) 7548

VVVV. 4′-Chloro-alpha-pyrrolidinovalerophenone (Other names: 4-chloro-α-PVP; 4′-chloro-α-pyrrolidinopentiophenone; 1-(4-chlorophenyl)-2-(pyrrolidin-1-yl) pentan-1-one) 7443

WWWW. 2-(ethylamino)-2-(3-methoxyphenyl)cyclohexan-1-one (methoxetamine, MXE) 7286

*[LLLL.]***XXXX.** Synthetic cannabinoids: Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, or which contains their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(I) Any compound structurally derived from 3-(1-naphthoyl)indole or 1Hindol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent, whether or not substituted in the naphthyl ring to any extent. Including, but not limited to:

(a) AM2201, or 1-(5-fluoropentyl)-3-(1-naphthoyl)indole 7201

(b) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole

(c) JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole

(d) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole 7118

(e) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole 7019

(f) JWH-073, or 1-butyl-3-(1-naphthoyl)indole 7173

(g) JWH-081, or 1-pentyl-3-(4-methoxy-1-naphthoyl)indole 7081

(h) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole

(i) JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole 7122

(j) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole

(k) JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole 7200

(l) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole

(m) JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole 7398

(II) Any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2- piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any extent;

(III) Any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2- piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl ring to any extent;

(IV) Any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2- piperidinyl) methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any extent. Including, but not limited to:

(a) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole
(b) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole 7203
(c) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole 6250
(d) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole
(e) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole 7008

(V) Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholinyl)ethyl group, whether or not substituted in the cyclohexyl ring to any extent. Including, but not limited to:

(a) CP 47,497 & homologues, or 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol), where side chain n=5, and homologues where side chain n-4, 6, or 7 7297, 7298

(VI) Any compound containing a 3- (benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent. Including, but not limited to:

(a) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole 7694
(b) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole (SR-19 and RCS-4) 7104

(VII) CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin- 1-yl] acetate;

(VIII) HU-210, or (6aR,10aR)-9- (hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c] chromen-1-ol;

(IX) HU-211, or Dexanabinol,(6aS,10aS)-9-(hydroxymethyl)- 6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

(X) Dimethylheptylpyran, or DMHP.

5. Depressants. Unless specifically excepted or unless listed in another schedule, any material compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

A. Gamma-hydroxybutyric acid and other names GHB; gamma-hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutonic acid; sodium oxybate; sodium oxybutryrate 2010
B. Mecloqualone 2572
C. Methaqualone 2565

6. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

A. Aminorex 1585
Some trade or other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; 4,5-dihydro-5-phenyl-2-oxazolamine;
B. N-benzylpiperazine (some other names: BZP, 1-benzylpiperzaine) 7493
C. Cathinone (Some trade or other names: 2-amino-1-phenyl-1-propanone, alphaaminopropiophenone, 2-aminopropiophenone and norephedrone) 1235
D. 4,4′-Dimethylaminorex (4,4′-DMAR; 4,5-dihydro-4-methyl-5-(4-methylphenyl)-2-oxazolamine; 4-methyl-5-(4-methylphenyl)-4,5-dihydro-1,3-oxazol-2-amine) 1595
E. Fenethylline 1503
F. Methcathinone 1237
Some trade or other names: 2-(methylamino)-propiophenone; alpha-(methylamino) propiophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-N-methylaminopropiophenone; monomethylpropion; ephedrone; N-methylcathinone; methylcathinine; AL-464; AL-422; AL-463 and URI 432;
G. 4-methoxymethcathinone
H. cis-4-methylaminorex (cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine) 1590
I. 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP
J. N-ethylamphetamine 1475
K. N,N-dimethylamphetamine 1480
(some other names: N,N-alpha-trimethylbenzeneethanamine; N,N-alpha-trimethylphenethylamine)

7. A temporary listing of substances subject to emergency scheduling under federal law shall include any material, compound, mixture, or preparation which contains any quantity of the following substances:

A. Fentanyl-related substances, their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers. 9850

(I) Fentanyl-related substance means any substance not otherwise listed under another Administration Controlled Substance Code Number, and for which no exemption or approval is in effect under section 505 of the Federal Food, Drug, and Cosmetic Act 21 U.S.C. 355, that is structurally related to fentanyl by one (1) or more of the following modifications:

(a) Replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;

(b) Substitution in or on the phenethyl group with alkyl, alkenyl, alkoxyl, hydroxyl, halo, haloalkyl, amino, or nitro groups;

(c) Substitution in or on the piperidine ring with alkyl, alkenyl, alkoxyl, ester, ether, hydroxyl, halo, haloalkyl, amino, or nitro groups;

(d) Replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; and/or

(e) Replacement of the N-propionyl group by another acyl group.

G. *N*, *N*-diethyl-2-(2-(4-methoxybenzyl)-5-nitro-1*H*-benzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters and ethers (Other name: Metonitazene) 9757

H. 2-(4-ethoxybenzyl)-5-nitro-1-(2-(pyrrolidin-1-yl)ethyl) -1H-benzimidazole, its isomers, esters, ethers, salts, and salts of isomers, esters and ethers (Other names: N-pyrrolidino etonitazene; etonitazepyne) 9758

I. *N*, *N*-diethyl-2-(5-nitro-2-(4-propoxybenzyl) -1*H*-benzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters and ethers (Other name: Protonitazene) 9759

8. Khat, to include all parts of the plant presently classified botanically as catha edulis, whether growing or not; the seeds thereof; any extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seed, or extracts. 7032

(B) Schedule II shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the Controlled Substances Code Number set forth opposite it.

1. Substances, vegetable origin, or chemical synthesis. Unless specifically excepted or unless listed in another schedule, Schedule II shall include any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis:

A. Opium and opiate; and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmefene, naloxegol, naloxone, and naltrexone and their respective salts, but including the following:

(I) Raw opium 9600
(II) Opium extracts 9610
(III) Opium fluid 9620
(IV) Powdered opium 9639
(V) Granulated opium 9640
(VI) Tincture of opium 9630
(VII) Codeine 9050
(VIII) Dihydroetorphine 9334
(IX) Ethylmorphine 9190
(X) Etorphine hydrochloride 9059
(XI) Hydrocodone 9193
(XII) Hydromorphone 9150
(XIII) Metopon 9260
(XIV) Morphine 9300
(XV) Oripavine 9330
(XVI) Oxycodone 9143
(XVII) Oxymorphone 9652
(XVIII) Thebaine 9333

B. Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in subparagraph (1)(B)1.A. of this rule shall be included in Schedule II, except that these substances shall not include the isoquinoline alkaloids of opium;

C. Opium poppy and poppy straw 9650

D. Coca leaves (9040) and any salt, compound, derivative, or preparation of coca leaves (including cocaine (9041) and ecgonine (9180) and their salts, isomers, derivatives, and salts of isomers and derivatives), and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, except that the substances shall not include:

(I) Decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine; or

(II) Ioflupane;

E. Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid, or powder form which contains the phenanthrene alkaloids of the opium poppy) 9670

2. Opiates. Unless specifically excepted or unless in another schedule any of the following opiates, including its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation, dextrorphan, and levopropoxyphene excepted:

A. Alfentanil 9737
B. Alphaprodine 9010
C. Anileridine 9020
D. Bezitramide 9800
E. Bulk Dextropropoxyphene (Non-dosage Forms) 9273
F. Carfentanil 9743
G. Dihydrocodeine 9120
H. Diphenoxylate 9170
I. Fentanyl 9801
J. Isomethadone 9226
K. Levo-alphacetylmethadol
Some other names: levo-alphaacetylmethadol, levomethadyl acetate, LAAM 9648
L. Levomethorphan 9210
M. Levorphanol 9220
N. Metazocine 9240
O. Methadone 9250
P. Methadone-Intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl butane 9254
Q. Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid 9802
R. Oliceridine (N-[(3-methoxythiophen-2-yl) methyl] ({2-[(9R)-9-(pyridin-2-yl)-6-oxaspiro [4.5]decan-9-yl]ethyl})amine fumarate) 9245
S. Pethidine (Meperidine) 9230
T. Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine 9232
U. Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate 9233
V. Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid 9234
W. Phenazocine 9715
X. Piminodine 9730
Y. Racemethorphan 9732
Z. Racemorphan 9733
AA. Remifentanil 9739
BB. Sufentanil 9740
CC. Tapentadol 9780
DD. Thiafentanil 9729

3. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following

substances having a stimulant effect on the central nervous system:

A. Amphetamine, its salts, optical isomers, and salts of its optical isomers 1100
B. Lisdexamfetamine, its salts, isomers, and salts of its isomers 1205
C. Methamphetamine, its salts, isomers, and salts of its isomers 1105
D. Phenmetrazine and its salts 1631
E. Methylphenidate 1724

4. Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

A. Amobarbital 2125
B. Glutethimide 2550
C. Pentobarbital 2270
D. Phencyclidine 7471
E. Secobarbital 2315

5. Hallucinogenic substances:

A. Nabilone 7379

Another name for nabilone: (±)trans-3-(1, 1-dimethylheptyl)-6, 6a,7,8,10,10a-hexahydro- 1-hydroxy-6, 6-dimethyl-9H-dibenzo(b,d) pyran-9-one.

B. Dronabinol [(-)-delta-9-trans tetrahydrocannabinol] in an oral solution in a drug product approved for marketing by the United States Food and Drug Administration. (7365)

6. Immediate precursors. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

A. Immediate precursor to amphetamine and methamphetamine:

(I) Phenylacetone 8501

Some trade or other names: phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone;

B. Immediate precursors to phencyclidine (PCP):

(I) 1-phenylcyclohexylamine 7460
(II) 1-piperidinocyclo-hexanecarbonitrile (PCC) 8603

C. Immediate precursor to fentanyl:

(I) 4-anilino-N-phenethyl-4-piperidine (ANPP) 8333
(II) N-phenyl-N-(piperidin-4-yl)propionamide (norfentanyl) 8366

7. Any material, compound, mixture, or preparation which contains any quantity of the following alkyl nitrites:

A. Amyl nitrite;
B. Butyl nitrite.

(C) Schedule III shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the DEA Controlled Substances Code Number set forth opposite it.

1. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

A. Those compounds, mixtures, or preparations in dosage unit form containing any stimulant substances listed in Schedule II which compounds, mixtures, or preparations were listed on August 25, 1971, as excepted compounds under 21 CFR 308.32 and any other drug of the quantitive composition shown in that list for those drugs or which is the same except that it contains a lesser quantity of controlled substances 1405
B. Benzphetamine 1228
C. Chlorphentermine 1645
D. Clortermine 1647
E. Phendimetrazine 1615

2. Depressants. Unless specifically excepted or unless listed in another schedule, any material compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

A. Any compound, mixture, or preparation containing –

(I) Amobarbital 2126
(II) Secobarbital 2316
(III) Pentobarbital 2271

or any salt thereof and one (1) or more other active medicinal ingredients which are not listed in any schedule;

B. Any suppository dosage form containing –

(I) Amobarbital 2126
(II) Secobarbital 2316
(III) Pentobarbital 2271

or any salt of any of these drugs and approved by the Food and Drug Administration for marketing only as a suppository;

C. Any substance which contains any quantity of a derivative of barbituric acid or any salt thereof 2100
D. Chlorhexadol 2510
E. Embutramide 2020
F. Any drug product containing gamma hydroxybutyric acid, including its salts, isomers, and salts of isomer, for which an application is approved under section 505 of the Federal Food, Drug, and Cosmetic Act; 2012
G. Ketamine, its salts, isomer, and salts of isomers (some other names for ketamine: (±)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone) 7285
H. Lysergic acid 7300
I. Lysergic acid amide 7310
J. Methyprylon 2575
K. Perampanel, and its salts, isomers, and salts of isomers 2261
L. Sulfondiethylmethane 2600
M. Sulfonethylmethane 2605
N. Sulfonmethane 2610
O. Tiletamine and zolazepam or any salt thereof 7295

Some trade or other names for a tiletaminezolazepam combination product: Telazol.

Some trade or other names for tiletamine: 2- (ethylamino)-2-(2-thienyl)-cyclohexanone.

Some trade or other names for zolazepam: 4-(2-fluorophenyl)-6-8-dihydro-1,3,8- trimethylpyrazolo-(3,4-e) (1,4)-diazepin-7(1H)-one, flupyrazapon.

3. Nalorphine 9400

4. Narcotics drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs or any salts thereof:

A. Not more than one and eight tenths grams (1.8gm) of codeine per one hundred milliliters (100 mL) or not more than ninety milligrams (90 mg) per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium 9803

B. Not more than one and eight tenths grams (1.8gm) of codeine per one hundred milliliters (100 mL) or not more than ninety milligrams (90 mg) per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts 9804

C. Not more than one and eight tenths grams (1.8gm) of dihydrocodeine per one hundred milliliters (100 mL) or not more than ninety milligrams (90 mg) per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts 9807

D. Not more than three hundred milligrams (300 mg) of ethylmorphine per one hundred milliliters (100 mL) or not more than fifteen milligrams (15 mg) per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts 9808

E. Not more than five hundred milligrams (500 mg) of opium per one hundred milliliters (100 mL) or per one hundred grams (100 gm) or not more than twenty-five milligrams (25 mg) per dosage unit, with one (1) or more active nonnarcotic ingredients in recognized therapeutic amounts 9809

F. Not more than fifty milligrams (50 mg) of morphine per one hundred milliliters (100 mL) or per one hundred grams (100 gm), with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts 9810

5. Any material, compound, mixture, or preparation containing any of the following narcotic drugs or their salts, as set forth below:

A. Buprenorphine 9064

6. Anabolic steroids. Unless specially excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts of isomers is possible within the specific chemical designation. DEA has assigned code 4000 for all anabolic steroids. Anabolic steroids. Any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids, and dehydroepiandrosterone) that promotes muscle growth, except an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the Secretary of Health and Human Services for that administration. If any person prescribes, dispenses, or distributes such steroid for human use, such person shall be considered to have prescribed, dispensed, or distributed an anabolic steroid within the meaning of this paragraph. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any quantity of the following substances, including its salts, esters, and ethers:

A. 3β,17β-dihydroxy-5α-androstane
B. 3α,17β-dihydroxy-5α-androstane
C. 5α-androstan-3,17-dione
D. 1-androstenediol (3β,17β-dihydroxy-5α-androst-1-ene)
E. 1-androstenediol (3α,17β-dihydroxy-5α-androst-1-ene)
F. 4-androstenediol (3β,17β-dihydroxy-androst-4-ene)
G. 5-androstenediol (3β,17β-dihydroxy-androst-5-ene)
H. 1-androstenedione ([5α]-androst-1-en-3,17-dione)
I. 4-androstenedione (androst-4-en-3,17-dione)
J. 5-androstenedione (androst-5-en-3,17-dione)
K. Bolasterone (7α,17α-dimethyl-17β-hydroxyandrost-4-en-3- one)
L. Boldenone (17β-hydroxyandrost-1, 4-diene-3-one)
M. Boldione (androstra-1,4-diene-3,17-dione)
N. Calusterone (7β,17α-dimethyl-17β-hydroxyandrost-4-en-3-one)
O. Clostebol (4-chloro-17β-hydroxyandrost-4-en-3-one)
P. Dehydrochloromethyltestosterone (4-chloro-17β-hydroxy-17α-methyl-androst-1, 4-dien-3-one)
Q. Desoxymethyltestosterone (17α-methyl-5α-androst-2-en-17β-ol) (a.k.a. madol)
R. Δ1-dihydrotestosterone (a.k.a.'1-testosterone')(17β- hydroxy-5α-androst-1-en-3-one)
S. 4-dihydrotestosterone (17β-hydroxy-androstan-3-one)
T. Drostanolone (17β-hydroxy-2α-methyl-5α-androstan-3-one)
U. Ethylestrenol (17α-ethyl-17β-hydroxyestr-4-ene)
V. Fluoxymesterone (9-fluoro-17α-methyl-11β, 17β-dihydroxyandrost-4-en-3-one)
W. Formebulone (Formebolone) (2-formyl-17α-methyl-11α,17β-dihydroxyandrost-1,4-dien-3-one)
X. Furazabol (17α-methyl-17β-hydroxyandrostano [2,3-c]-furazan)
Y. 13β-ethyl-17β-hydroxygon-4-en-3-one
Z. 4-hydroxytestosterone (4,17β-dihydroxy-androst-4-en-3-one)
AA. 4-hydroxy-19-nortestosterone (4,17β-dihydroxy-estr-4-en-3-one)
BB. Mestanolone (17α-methyl-17β-hydroxy-5α-androstan-3-one)
CC. Mesterolone (1α-methyl-17β-hydroxy-[5α]-androstan-3-one)
DD. Methandienone (17α-methyl-17β-hydroxyandrost-1,4-dien-3-one)
EE. Methandriol (17α-methyl-3β,17β-dihydroxyandrost-5-ene)
FF. Methasterone (2α,17α-dimethyl-5α-androstan-17β-ol-3-one)
GG. Methenolone (1-methyl-17β-hydroxy-5α-androst-1-en-3-one)
HH. 17α-methyl-3β,17β-dihydroxy-5α-androstane
II. 17α-methyl-3α,17β-dihydroxy-5α-androstane
JJ. 17α-methyl-3β,17β-dihydroxyandrost-4-ene
KK. 17α-methyl-4-hydroxynandrolone(17α-methyl-4-hydroxy-17β-hydroxyestr-4- en-3-one)
LL. Methyldienolone (17α-methyl-17β-hydroxyestra-4,9(10)-dien-3-one)
MM. Methyltrienolone (17α-methyl-17β-hydroxyestra-4,9,11-trien-3-one)
NN. Methyltestosterone (17α-methyl-17-hydroxyandrost-4-en-3-one)
OO. Mibolerone (7α,17α-dimethyl-17β-hydroxyestr-4-en-3-one)
PP. 178-methyl-Δ1-dihydrotestosterone (17β-hydroxy-17α-methyl-5α-androst-1-en-3-one) (a.k.a. 17-α-methyl-1-testosterone)
QQ. Nandrolone (17β-hydroxyestr-4-ene-3-one)
RR. 19-nor-4-androstenediol (3β,17β-dihydroxyestr-4-ene)
SS. 19-nor-4-andro stenediol (3α,17β-dihydroxyestr-4-ene)
TT. 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione)
UU. 19-nor-5-androstenediol (3β,17β-dihydroxyestr-5-ene)
VV. 19-nor-5-androstenediol (3α,17β-dihydroxyestr-5-ene)
WW. 19-nor-4-androstenedione (estr-4-en-3,17-dione)
XX. 19-nor-5-androstenedione (estr-5-en-3,17-dione)
YY. Norbolethone (13β,17α-diethyl-17β-hydroxygon-4-en-3-one)
ZZ. Norclostebol (4-chloro-17β-hydroxyestr-4-en-3-one)

AAA. Norethandrolone (17α-ethyl-17β-hydroxyestr-4-en-3-one)

BBB. Normethandrolone (17α-methyl-17β-hydroxyestr-4-en-3-one)

CCC. Oxandrolone (17α-methyl-17β-hydroxy-2-oxa-[5α]-androstan-3-one)

DDD. Oxymesterone (17α-methyl-4,17β-dihydroxyandrost-4-en-3-one)

EEE. Oxymetholone (17α-methyl-2-hydroxymethylene-17β-hydroxy-[5α]-androstan-3-one)

FFF. Prostanozol (17β-hydroxy-5α-androstano[3,2-c] pyrazole)

GGG. Stanolone (Δ1-dihydrotestosterone (a.k.a. 1-testosterone)(17β-hydroxy-5α-androst-1-en-3-one))

HHH. Stanozolol (17α-methyl-17β-hydroxy-[5α]-androst-2-eno[3,2-c]-pyrazole)

III. Stenbolone (17β-hydroxy-2-methyl-[5α]-androst-1-en-3-one)

JJJ. Testolactone(13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone)

KKK. Testosterone(17β-hydroxyandrost-4-en-3-one);

LLL. Tetrahydrogestrinone (13β,17α-diethyl-17β-hydroxygon-4,9, 11-trien-3-one)

MMM. Trenbolone (17β-hydroxyestr-4,9,11-trien-3-one)

NNN. Any salt, ester, or isomer of a drug or substance described or listed in this subparagraph, if that salt, ester, or isomer promotes muscle growth except an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the Secretary of Health and Human Services for that administration.

7. Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States Food and Drug Administration approved drug product 7369
(Some other names for dronabinol: (6aRtrans)- 6a,7,8,10a-tetrahydro-6.6.9-trimethyl-3-pentyl-6H-dibenzo (b,d) pyran-1-ol, or (-) -delta-9-(trans)-tetrahydrocannabinol.)

(D) Schedule IV shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this subsection. Each drug or substance has been assigned the DEA Controlled Substances Code Number set forth opposite it.

1. Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs or any salts thereof:

A. Not more than one milligram (1 mg) of difenoxin (DEA Drug Code No. 9168) and not less than twenty-five micrograms (25 mcg) of atropine sulfate per dosage unit 9167

B. Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane) 9278

C. 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl) cyclohexanol, its salts, optical and geometric isomers, and salts of these isomers (including tramadol) 9752

D. Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs or salts thereof, which shall include one (1) or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

(I) Not more than two hundred milligrams (200 mg) of codeine per one hundred milliliters (100 mL) or per one hundred grams (100 gm);

(II) Not more than one hundred milligrams (100 mg) of dihydrocodeine per one hundred milliliters (100 mL) or per one hundred grams (100 gm); or

(III) Not more than one hundred milligrams (100 mg) of ethylmorphine per one hundred milliliters (100 mL) or per one hundred grams (100 gm).

2. Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

A. Alfaxalone 2731
B. Alprazolam 2882
C. Barbital 2145
D. Brexanolone 2400
E. Bromazepam 2748
F. Camazepam 2749
G. Carisoprodol 8192
H. Chloral betaine 2460
I. Chloral hydrate 2465
J. Chlordiazepoxide 2744
K. Clobazam 2751
L. Clonazepam 2737
M. Clorazepate 2768
N. Clotiazepam 2752
O. Cloxazolam 2753
P. Daridorexant 2410
*[P.]***Q.** Delorazepam 2754
*[Q.]***R.** Diazepam 2765
*[R.]***S.** Dichloralphenazone 2467
*[S.]***T.** Estazolam 2756
*[T.]***U.** Ethchlorvynol 2540
*[U.]***V.** Ethinamate 2545
*[V.]***W.** Ethyl loflazepate 2758
*[W.]***X.** Fludiazepam 2759
*[X.]***Y.** Flunitrazepam 2763
*[Y.]***Z.** Flurazepam 2767
*[Z.]***AA.** Fospropofol 2138
*[AA.]***BB.** Halazepam 2762
*[BB.]***CC.** Haloxazolam 2771
*[CC.]***DD.** Ketazolam 2772
*[DD.]***EE.** Lemborexant 2245
*[EE.]***FF.** Loprazolam 2773
*[FF.]***GG.** Lorazepam 2885
*[GG.]***HH.** Lormetazepam 2774
*[HH.]***II.** Mebutamate 2800
*[II.]***JJ.** Medazepam 2836
*[JJ.]***KK.** Meprobamate 2820
*[KK.]***LL.** Methohexital 2264
*[LL.]***MM.** Methylphenobarbital (Mephobarbital) 2250
*[MM.]***NN.** Midazolam 2884
*[NN.]***OO.** Nimetazepam 2837
*[OO.]***PP.** Nitrazepam 2834
*[PP.]***QQ.** Nordiazepam 2838
*[QQ.]***RR.** Oxazepam 2835
*[RR.]***SS.** Oxazolam 2839
*[SS.]***TT.** Paraldehyde 2585
*[TT.]***UU.** Petrichloral 2591
*[UU.]***VV.** Phenobarbital 2285
*[VV.]***WW.** Pinazepam 2883
*[WW.]***XX.** Prazepam 2764
*[XX.]***YY.** Quazepam 2881
*[YY.]***ZZ.** Remimazolam 2846
*[ZZ.]***AAA.** Suvorexant 2223
*[AAA.]***BBB.** Temazepam 2925
*[BBB.]***CCC.** Tetrazepam 2886
*[CCC.]***DDD.** Triazolam 2887
*[DDD.]***EEE.** Zaleplon 2781
*[EEE.]***FFF.** Zolpidem 2783

*[FFF.]***GGG.** Zopiclone 2784

3. Fenfluramine. Any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible:

A. Fenfluramine 1670

4. Lorcaserin. Any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible:

A. Lorcaserin 1625

5. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

A. Cathine ((+)-norpseudoephedrine) 1230
B. Diethylpropion 1610
C. Fencamfamin 1760
D. Fenproporex 1575
E. Mazindol 1605
F. Mefenorex 1580
G. Modafinil 1680
H. Pemoline (including organometallic complexes and chelates thereof) 1530
I. Phentermine 1640
J. Pipradrol 1750
K. Serdexmethylphenidate 1729
L. Sibutramine 1675
M. Solriamfetol (2-amino-3-phenylpropyl carbamate; benzenepropanol, beta-amino-, carbamate (ester)) 1650
N. SPA (-)-1-dimethylamino-1,2-diphenylethane 1635

6. Other substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts:

A. Pentazocine 9709
B. Butorphanol (including its optical isomers) 9720
C. Eluxadoline (5-[[[(2S)-2-amino-3-[4-aminocarbonyl)-2,6-dimethylphenyl]-1-oxopropyl] [(1S)-1-(4-phenyl-1 H-imidazol-2-yl)ethyl]amino]methyl]-2-methoxybenzoic acid) (including its optical isomers) and its salts, isomers, and salts of isomers 9725

7. Ephedrine. Any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system including their salts, isomers, and salts of isomers:

A. Ephedrine or its salts, optical isomers, or salts of optical isomers as the only active medicinal ingredient or contains ephedrine or its salts, optical isomers, or salts of optical isomers and therapeutically insignificant quantities of another active medicinal ingredient.

(E) Schedule V shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this subsection.

1. Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as follows, which shall include one (1) or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

A. Not more than two hundred milligrams (200 mg) of codeine per one hundred milliliters (100 mL) or per one hundred grams (100 gm);

B. Not more than one hundred milligrams (100 mg) of dihydrocodeine per one hundred milliliters (100 mL) or per one hundred grams (100 gm);

C. Not more than one hundred milligrams (100 mg) of ethylmorphine per one hundred milliliters (100 mL) or per one hundred grams (100 gm);

D. Not more than two and five-tenths milligrams (2.5 mg) of diphenoxylate and not less than twenty-five micrograms (25 mcg) of atropine sulfate per dosage unit;

E. Not more than one hundred milligrams (100 mg) of opium per one hundred milliliters (100 mL) or per one hundred grams (100 gm); and

F. Not more than five-tenths milligram (0.5 mg) of difenoxin (DEA Drug Code No. 9168) and not less than twenty-five micrograms (25 mcg) of atropine sulfate per dosage unit.

2. Stimulants. Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system
including its salts, isomers, and salts of isomers:

A. Pyrovalerone 1485

3. Any compound, mixture, or preparation containing any detectable quantity of pseudoephedrine or its salts or optical isomers, or salts of optical isomers or any compound, mixture, or preparation containing any detectable quantity of ephedrine or its salts or optical isomers, or salts of optical isomers if the drug preparations are starch-based solid dose forms, if such preparations are sold over the counter without a prescription. The following drug preparations containing ephedrine and pseudoephedrine are not scheduled controlled substances:

A. Drug preparations in liquid form;

B. Drug preparations that require a prescription in order to be dispensed.

4. Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts:

A. Ezogabine [N-[2-amino-4(4-fluorobenzylamino)-phenyl]-carbamic acid ethyl ester] 2779
B. Ganaxolone (3α-hydroxy-3β-methyl-5α-pregnan-20-one) 2401
*[B.]***C.** Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide] 2746
*[C.]***D.** Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid] 2782
*[D.]***E.** Brivaracetam ((25)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]butanamide) (also referred to as BRV; UCB-34714; Briviact) 2710

*[E.]***F.** Lasmiditan [2,4,6-trifluoro-N-(6-(1-methylpiperidine-4-carbonyl) pyridine-2-yl-benzamide]	2790
*[F.]***G.** Cenobamate ([(1R)-1-(2-chlorophenyl)-2-(tetrazol-2-yl)ethyl] carbamate; 2H-tetrazole-2-ethanol, alpha-(2-chlorophenyl)-, carbamate (ester), (alphaR)-; carbamic acid (R)-(+)-1-(2-chlorophenyl)-2-(2H-tetrazol-2-yl)ethyl ester)	2720

*AUTHORITY: section 195.015, RSMo Supp. [2021] **2022**, and section 195.195, RSMo 2016. Material found in this rule previously filed as 19 CSR 30-1.010. Original rule filed April 14, 2000, effective Nov. 30, 2000. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed Sept. 12, 2022, effective Oct. 3, 2022, expires March 31, 2023. A proposed amendment covering this same material is published in this issue of the **Missouri Register**.*

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars ($500) in the time the emergency is effective.

Title 19 – DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30 – Division of Regulation and Licensure
Chapter 20 – Hospitals

EMERGENCY RULE

19 CSR 30-20.144 Standards and Guidelines for Essential Caregiver Program

PURPOSE: This rule establishes the standards and guidelines regarding the essential caregiver program established under section 191.2290, RSMo.

*EMERGENCY STATEMENT: The "Essential Caregiver Program Act" became law on August 28, 2022. Under this new law, the department is required to develop standards and guidelines concerning the essential caregiver program. These standards and guidelines will provide the regulatory framework hospitals must follow to ensure that their patients have access to their designated essential caregivers. The standards and guidelines developed by the department must be operational during a state of emergency declared pursuant to Chapter 44, relating to infectious, contagious, communicable, or dangerous diseases. While there is no current declaration of a state of emergency, the implementing regulations for the Essential Caregiver Program Act should be in place prior to that potential event. It is imperative that this rule become effective as close to the same time that the law becomes effective in order to ensure that a hospital patient has immediate access to his or her essential caregiver, an indispensable member of the patient's care team. As a result, the department finds a compelling governmental interest, which requires this emergency action. A proposed rule, which covers the same material, is published in this issue of the **Missouri Register**. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri** and **United States Constitutions**. The department believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed September 15, 2022, becomes effective September 29, 2022, and expires March 27, 2023.*

(1) As used in this rule, the following terms and phrases shall mean:

(A) Department shall mean the Department of Health and Senior Services;

(B) Essential caregiver shall mean a family member, friend, guardian, or other individual selected by a hospital patient who has not been adjudged incapacitated under chapter 475, or the guardian or legal representative of the patient;

(C) Hospital shall have the same meaning assigned to it 19 CSR 30-20.011(9).

(2) Every hospital within Missouri shall develop an essential caregiver program which shall allow a patient who has not been adjudged incapacitated under chapter 475, RSMo, a patient's guardian, or a patient's legally authorized representative to designate an essential caregiver for in-person contact with the patient in accordance with the provisions of section 191.2290, RSMo, and the standards and guidelines developed by the department under this rule.

(3) The essential caregiver program shall be operable during a state of emergency declared pursuant to chapter 44, RSMo, relating to infectious, contagious, communicable, or dangerous diseases.

(4) The essential caregiver program established by the hospital shall:

(A) Allow at least two individuals per patient to be designated as essential caregivers, although the hospital may limit the in-person contact to one caregiver at a time. The caregiver shall not be required to have previously served in a caregiver capacity prior to the declared state of emergency;

(B) Include a reasonable in-person contact schedule to allow the essential caregiver to provide care to the patient for at least four (4) hours each day, including evenings, weekends, and holidays, but shall allow for twenty-four-hour in-person care as necessary and appropriate for the well-being of the patient. The essential caregiver shall be permitted to leave and return during the scheduled hours or be replaced by another essential caregiver;

(C) Include procedures to enable physical contact between the patient and the essential caregiver. The hospital may not require the essential caregiver to undergo more stringent screening, testing, hygiene, personal protective equipment, and other infection control and prevention protocols than required of hospital employees; and

(D) Specify in its protocols the criteria that the hospital will use if it determines that in-person contact by a particular essential caregiver is inconsistent with the patient's therapeutic care and treatment or is a safety risk to other patients or staff at the facility. Any limitations placed upon a particular essential caregiver shall be reviewed and documented every seven (7) days to determine if the limitations remain appropriate.

(5) A hospital shall inform, in writing, patients who have not been adjudged incapacitated under chapter 475, or guardians or legal representatives of patients, of the essential caregiver program and the process for designating an essential caregiver. Consistent with 42 CFR 482.12(h), a hospital shall inform each patient, or such patient's guardian or legal representative, where appropriate, of his or her visitation rights and right to

access an essential caregiver in accordance with this rule.

(6) A hospital may restrict or revoke in-person contact by an essential caregiver who fails to follow required protocols and procedures established under section (4) of this rule.

(7) A hospital may request from the department a suspension of in-person contact by essential caregivers for a period not to exceed seven (7) days. A hospital may request from the department an extension of a suspension for more than seven (7) days, but such extension period shall not be for a period longer than seven (7) days at a time. Under the provisions of this section, a hospital shall not suspend in-person caregiver contact for more than fourteen (14) consecutive days in a twelve-month period or for more than forty-five (45) total days in a twelve-month period. Requests for a suspension of in-person contact of essential caregivers or an extension of a suspension under this section shall be submitted in writing to the department. Department determinations in response to suspension requests shall be in writing and both requests and determinations shall be made a part of the department's permanent records for the hospital.

(A) Requests for a suspension of in-person contact by essential caregivers shall contain at a minimum the following:

1. The specific reason or reasons why allowing in-person contact by essential caregivers poses a serious community health risk;

2. An explanation of the extenuating factors which may be relevant to granting a suspension to the particular requesting hospital; and

3. The length of time, not to exceed seven (7) days, the suspension is being requested.

(8) The department's written determination shall identify a suspension expiration date, if approved. The hospital may reapply for an extension of the suspension up to one (1) day prior to the expiration of the department's originally approved suspension. The department may deny a hospital's request to suspend in-person contact with essential caregivers if the department determines that such in-person contact does not pose a serious community health risk.

(9) The department shall suspend in-person contact by essential caregivers under this rule if it determines that doing so is required under federal law, including a determination that federal law requires a suspension of in-person contact by members of the patient's care team.

(10) The provisions of this rule shall not apply to those patients whose particular plan of therapeutic care and treatment necessitates restricted or otherwise limited visitation for reasons unrelated to the stated reasons for the declared state emergency.

(11) The provisions of this rule shall not be construed to require an essential caregiver to provide necessary care to a patient and a hospital shall not require an essential caregiver to provide necessary care.

AUTHORITY: sections 191.2290 and 197.080, RSMo Supp. 2022. Emergency rule filed Sept. 15, 2022, effective Sept. 29, 2022, expires March 27, 2022. A proposed rule covering this same material is published in this issue of the ***Missouri Register****.*

PUBLIC COST: This emergency rule will cost state agencies or political subdivisions one hundred twenty-two thousand four hundred dollars ($122,400) in the time the emergency is effective.

PRIVATE COST: This emergency rule will cost private entities four hundred thirty-eight thousand six hundred dollars ($438,600) in the time the emergency is effective.

FISCAL NOTE
PUBLIC COST

I. Department Title: Department of Health and Senior Services
Division Title: Division 30—Division of Regulation and Licensure
Chapter Title: Chapter 20 — Hospitals

Rule Number and Title:	19 CSR 30-20.144 Standards and Guidelines for Essential Caregiver Program.
Type of Rulemaking:	Emergency Rulemaking

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
36 public hospitals	**Public Hospitals**	**$122,400.00**

III. WORKSHEET

Cost for Private Hospitals to Adopt and Implement Essential Caregiver Programs

Action	Explanation	Cost	Cost for Private Hospitals
Policy and procedure development, implementation, and training	Policy and Procedure Develoment-1FTE*8hrs=$320 Implementation-1FTE*2hrs=80 Training-100 FTE*1hr=$3000	$3400	36 public hospitals * $3400 = $122,400

IV. ASSUMPTIONS

While it is generally assumed that most hospitals have already built into their operational costs the cost of updating their individual institutional policies and procedures to reflect changes made in law, this fiscal note attempts to breakdown the individual cost of complying with §191.2290, RSMo and the proposed emergency rule. In order to comply with the provisions of the proposed emergency rule, hospitals will have to update their

visitation policies to incorporate the essential caregiver guidelines and standards established by the proposed emergency rule.

This fiscal note also assumes that a state of emergency under Chapter 44, RSMo, relating to infectious diseases, has not been declared and is not in place. Even though the Department does not expect a state of emergency to be declared or in place during the time period of this emergency rule, the Department does expect public hospitals to adopt and implement policies to be in compliance with the provisions of the emergency rule. Of course, the steps taken by public hospitals to implement policies and train personnel to be consistent with the essential caregiver emergency rule will have a fiscal impact.

The department licenses approximately 36 public hospitals. The Department estimates that each public hospital will incur approximately $3,400 in costs in developing the policies and procedures for the implementation of this emergency rule.

FISCAL NOTE
PRIVATE COST

I. Department Title: Department of Health and Senior Services
Division Title: Division 30—Division of Regulation and Licensure
Chapter Title: Chapter 20 — Hospitals

Rule Number and Title:	19 CSR 30-20.144 Standards and Guidelines for Essential Caregiver Program.
Type of Rulemaking:	Emergency Rulemaking

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
129	**Private Hospitals**	$438,600.00 for 6 month period that a state of emergency is in effect (assumes no state of emergency has been declared or is in place)

III. WORKSHEET

Cost for Private Hospitals to Adopt and Implement Essential Caregiver Programs

Action	Explanation	Cost	Cost for Private Hospitals
Policy and procedure development, implementation, and training	Policy and Procedure Develoment-1FTE*8hrs=$320 Implementation-1FTE*2hrs=80 Training-100 FTE*1hr=$3000	$3400	129 private hospitals * $3400 = $438,600.00

IV. ASSUMPTIONS

While it is generally assumed that most hospitals have already built into their operational costs the cost of updating their individual institutional policies and procedures to reflect changes made in law, this fiscal note attempts to breakdown the individual cost of complying with §191.2290, RSMo and the proposed emergency rule. In order to comply with the provisions of the proposed emergency rule, hospitals will have to update their visitation policies to incorporate the essential caregiver guidelines and standards established by the proposed emergency rule.

This fiscal note also assumes that a state of emergency under Chapter 44, RSMo, relating to infectious diseases, has not been declared and is not in place. Even though the Department does not expect a state of emergency to be declared or in place during the time period of this emergency rule, the Department does expect private hospitals to adopt and implement policies to be in compliance with the provisions of the emergency rule. Of course, the steps taken by private hospitals to implement policies and train personnel to be consistent with the essential caregiver emergency rule will have a fiscal impact.

The department licenses approximately 129 private hospitals (hospitals not owned by state or local governments). The Department estimates that each private hospital will incur approximately $3,400 in costs in developing the policies and procedures for the implementation of this emergency rule.

The text of proposed rules and changes will appear under this heading. A notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This explanation is set out in the PURPOSE section of each rule. A citation of the legal authority to make rules is also required, and appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules that are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close-of-comments date will be used as the beginning day in the ninety- (90-) day count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice, file a new notice of proposed rulemaking, and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:
Boldface text indicates new matter.
[Bracketed text indicates matter being deleted.]

Title 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 9 – Wildlife Code: Confined Wildlife: Privileges, Permits, Standards

PROPOSED AMENDMENT

3 CSR 10-9.354 Privileges of Class III Wildlife Breeders. The commission is amending section (11).

PURPOSE: This amendment will allow new cervid facilities to be permitted by the department within a certain distance of a Chronic Wasting Disease positive cervid if a double fence is constructed and no cervid occupies the area between the interior and exterior fences.

(11) New permits for Class III wildlife breeding facilities for white-tailed deer, white-tailed deer hybrids, mule deer, or mule deer hybrids will not be issued for a period of five (5) years within twenty-five (25) miles of a location where Chronic Wasting Disease-positive animal(s) have been confirmed by the department*[; except, new permits may be issued during this time period for the existing location of a Class III wildlife breeding facility with a valid permit.]* **except as follows:**

(A) New permits may be issued during this time period for the existing location of a Class III wildlife breeding facility with a valid permit; and

(B) New permits may be issued during this time period for a Class III wildlife breeding facility located more than ten (10) miles and less than twenty-five (25) miles from a location where Chronic Wasting Disease-positive animal(s) have been confirmed by the department, provided –

1. The perimeter of the facility is enclosed by a double fence having a minimum distance of ten feet (10') between the interior and exterior fences;

2. The interior and exterior fences are constructed and maintained in accordance with 3 CSR 10-9.220;

3. For facilities subject to double fencing requirements as a condition of their permit, all applicable measurements for determining compliance with the minimum enclosure space requirements of 3 CSR 10-9.220 will be based on the interior fence; and

4. No cervid may be confined in the area between the interior and exterior fences in facilities subject to double fencing requirements as a condition of their permit.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.040, RSMo 2016. Original rule filed Jan. 22, 2021, effective Aug. 30, 2021. Amended: Filed Sept. 9, 2022.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities approximately eighty-eight thousand four hundred fifty-five dollars ($88,455) each year.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at https://short.mdc.mo.gov/Z49. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PRIVATE ENTITY COST

I. RULE NUMBER

Title: 3 - Department of Conservation
Division: 10 Conservation Commission
Chapter: 9 Confined Wildlife: Privileges, Permits, Standards
Type of Rulemaking: Proposed Amendment
Rule Number and Name: **3 CSR 10-9.354 Privileges of Class III Wildlife Breeders**

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
5 per year	New class III wildlife breeder permit holders within 11-25 miles of a confirmed CWD positive cervid	$88,455 annual aggregate

III. WORKSHEET

{[[[($3,719 expense for a class III wildlife breeder fence) + ($7,200 expense for creek crossing) + ($1,418 expense for gates)]*1.434 correction factor]*[(5 Class I Wildlife Breeders permit)]]} =

[[$12,337]*1.434]*[5]=

[$17,691]*[5]=

$88,455

IV. ASSUMPTIONS

Currently in the Wildlife Code, new facilities are prohibited within 25-miles of a confirmed Chronic Wasting Disease positive cervid. The current standards for Class III Wildlife Breeder permit holder that hold white-tailed deer, white-tailed deer-hybrids, mule deer, or mule deer-hybrids is a single fence. The amendment to this Code will allow new facilities, with restrictions, from 11-25 miles of a confirmed Chronic Wasting Disease positive cervid.

These restrictions include that the new facility be double fenced. In 2014, the Department estimated costs for an addition of a perimeter fence at $7.53 per foot of fence. Also in 2014, the Department assumed the need for two gates per facility at $709 each; and assumed the need for two fence crossings per facility for a typical creek at $3600 each. A 12,875 square foot (ft^2) facility is assumed for a Class III Wildlife Breeder permitted facility to hold deer. As a result, in 2014, the Department estimated the cost per facility to be $12,337. To account for inflation from 2014 to 2022, we used the Producers Price Index to develop a correction factor of 43.4%. The 2022 estimated cost per facility is $17,691. From fiscal year 2015-2020 there was an average of 5 permits per year issued that were not issued the previous year for class III wildlife breeders that hold white-tailed deer, white-tailed deer-hybrids, mule deer, or mule deer-hybrids. This is likely an overestimate of annual cost as it is not expected all new facilities will be within the 11-25 miles of a confirmed CWD positive.

Title 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 9 – Wildlife Code: Confined Wildlife: Privileges, Permits, Standards

PROPOSED AMENDMENT

3 CSR 10-9.565 Licensed Hunting Preserve: Privileges. The commission is amending paragraphs (1)(B)2. and (1)(B)12.

PURPOSE: This amendment will allow new big game hunting preserves to be permitted by the department within a certain distance of a Chronic Wasting Disease-positive cervid if a double fence is constructed and no animal is confined, pursued, or taken in the area between the interior and exterior fences. This amendment also clarifies when an animal has entered a preserve for the purposes of the animal identification requirements of the rule.

(1) Licensed hunting preserves are subject to inspection by an agent of the department at any reasonable time. Animal health standards and movement activities shall comply with all state and federal regulations. Any person holding a licensed hunting preserve permit may release on his/her licensed hunting preserve only legally obtained and captive-reared*[:]* pheasants, exotic partridges, quail, mallard ducks, and ungulates (hoofed animals) specifically authorized by the Approved Confined Wildlife Species List in 3 CSR 10-9.105(7) for game bird hunting preserves and big game hunting preserves for hunting throughout the year, under the following conditions:

(B) Big Game Hunting Preserve.

1. A big game hunting preserve for ungulates shall be a fenced single body of land, not dissected by public roads, and not less than three hundred twenty (320) acres and no more than three thousand two hundred (3,200) acres in size. The hunting preserve shall not be cross-fenced into portions of less than three hundred twenty (320) acres. The hunting preserve shall be fenced so as to enclose and contain all released game and exclude all hoofed wildlife of the state from becoming a part of the enterprise and posted with signs specified by the department. Fence requirements shall meet standards specified in 3 CSR 10-9.220. Fencing for hogs shall be constructed of twelve- (12-) gauge woven wire, at least five feet (5') high, and topped with one (1) strand of electrified wire. An additional two feet (2') of such fencing shall be buried and angled underground toward the enclosure interior. A fence of equivalent or greater strength and design to prevent the escape of hogs may be substituted with written application and approval by an agent of the department.

2. Breeding enclosure(s) contained within or directly adjacent to the big game hunting preserve must obtain a separate Class III Wildlife Breeder Permit for those species (including their hybrids) listed on the Approved Confined Wildlife Species List in 3 CSR 10-9.105 for Class III wildlife breeders. Any animal entering a big game hunting facility may not reenter a breeding facility. All cervids entering a big game hunting preserve must maintain one of the identification requirements contained in 3 CSR 10-9.354(6)(A). Any natural additions must meet one of these identification requirements upon harvest or death for record-keeping purposes. **For the purposes of the identification requirement of this paragraph, an animal has entered a big game hunting preserve when it has physically entered the preserve or when the animal has been identified on the Movement Certificate required by this rule, and the big game hunting preserve permittee has used the department-provided database to transfer the animal into their inventory on the same day as movement to the preserve.**

3. Any person taking or hunting ungulates on a big game hunting preserve shall have in his/her possession a valid licensed hunting preserve hunting permit. The permittee shall attach to the leg of each ungulate taken on the hunting preserve a locking leg seal furnished by the department, for which the permittee shall pay ten dollars ($10) per one hundred (100) seals. Any packaged or processed meat shall be labeled with the licensed hunting preserve permit number.

4. The holder of a Big Game Hunting Preserve Permit may only receive animals and conduct hunts if they maintain hunt-qualified status. Big Game Hunting Preserve Permit holders will attain and maintain hunt-qualified status if they maintain inventory records (including identification requirements) as required in this chapter, submit Chronic Wasting Disease samples as required in this chapter, and maintain all fences as required in this chapter. A Big Game Hunting Preserve Permit holder will lose hunt-qualified status if, after issuance of a notice of discrepancy by the department indicating violations of any of the requirements of this paragraph, the permit holder fails to correct the deficiency within thirty (30) days, or longer if approved by a conservation agent pursuant to a corrective action plan. Hunt-qualified status will be reinstated when the permit holder receives notice from the department that the discrepancy has been corrected. Receiving animals or conducting hunts in violation of this paragraph or maintaining non-hunt-qualified status for ninety (90) consecutive days or more shall be sufficient cause for permit suspension or revocation.

5. The holder of a Big Game Hunting Preserve Permit must test mortalities of male cervids over twelve (12) months of age for Chronic Wasting Disease (CWD), a transmissible spongiform encephalopathy as provided in this rule. Samples must be collected by an accredited veterinarian or department-certified collector. Samples must be submitted to a diagnostic laboratory approved by the United States Department of Agriculture (USDA) for CWD testing within thirty (30) days of death. **The department reserves the right to require additional sampling and testing during disease investigations or morbidity/mortality events. Animal health standards and movement activities shall comply with all state and federal regulations.**

6. For purposes of this section, eligible mortalities mean mortalities of all male cervids at least 12 months of age occurring between April 1 of the previous permit year and March 31 of the current permit year. Any new permit holder or permit holder as of July 1, 2021, that failed to test one hundred percent (100%) of all mortalities during the previous permit year shall have Tier 1 status, and shall test one hundred percent (100%) of eligible mortalities. Any permit holder as of July 1, 2021, who can demonstrate they tested one hundred percent (100%) of all mortalities during the previous permit year or any Tier 1 permit holder that submits the required valid samples of eligible mortalities during the previous year shall have Tier 2 status, and shall test fifty percent (50%) of eligible mortalities.

7. At least eighty percent (80%) of required tests as described in the previous paragraph must produce valid sample results by the diagnostic laboratory. To be considered a sample that produced a valid test result, the sample must have been suitable, testable, and not rejected by the diagnostic laboratory for any other reason. If less than eighty percent (80%) of samples are valid, then the permit holder must provide sufficient samples to achieve the eighty percent (80%) requirement. Replacement samples may consist of either post-mortem samples at a 1:1 ratio, or ante-mortem samples at a 3:1 ratio from other animal(s) of similar age and time in the facility. For purposes of this rule, an ante-mortem CWD test is not valid unless it is performed by an accredited veterinarian

on retropharyngeal lymph node, rectal mucosa, or tonsillar tissue with at least six lymphoid follicles submitted within thirty (30) days of collection on an animal that is at least eighteen (18) months of age and has not been source of ante-mortem testing within the prior twenty-four (24) months.

8. Samples in which the infectious CWD prion is detected will be considered CWD-suspect pending confirmation at the USDA National Veterinary Services Laboratory. Any facility with a CWD-suspect or confirmed positive sample will immediately be quarantined by the state wildlife veterinarian, and no movement certificates allowing movement into the facility will be issued except as authorized by the state wildlife veterinarian in accordance with an approved herd disease response plan. Additionally, any facility that is or has been in possession of a deer that was in a CWD-suspect or CWD-confirmed positive facility shall be quarantined, and no movement certificates allowing movement into the facility will be issued until it is determined that the facility is not epidemiologically linked to the CWD suspect or confirmed positive deer or is determined upon further testing that the suspect deer is not a confirmed positive.

9. Big game hunting preserve permittees shall report escaped animals*[,]* and entry of any free-ranging cervids into the facility immediately to a conservation agent.

10. The holder of a Big Game Hunting Preserve Permit must ensure that all CWD test results required by this section are submitted to the state wildlife veterinarian by the USDA-approved diagnostic laboratory within seven (7) days of completion of testing. In the event of confirmed positive results from a Chronic Wasting Disease test, the permit holder shall comply with a herd disease response plan approved by the department. The plan may include, but not be limited to, quarantine requirements, testing and depopulation, premises cleaning and disinfection, additional fencing requirements, and restocking guidelines. Failure to comply with an approved herd disease response plan may result in the suspension or revocation of permit privileges.

11. All Class III cervids listed on the Approved Confined Species List in 3 CSR 10-9.105 for Class III wildlife breeders acquired by a holder of a Big Game Hunting Preserve Permit must be individually identified on a Movement Certificate issued by the department. A Movement Certificate must be completed by the breeder and list the official identification, age, gender, species, complete address of both the origin and destination, and the complete name, address, and permit number of all parties to the transaction. The original form must accompany the shipment and a copy shall be maintained for at least five (5) years by the permit holders, unless otherwise documented in a department-provided database. All other cervids and ungulates acquired by a holder of a Big Game Hunting Preserve Permit must be individually identified on a Breeder's Movement Certificate issued by the Missouri Department of Agriculture. A Breeder' s Movement Certificate must be completed by the breeder and contain complete and accurate information including the official identification, age, gender, species, complete address of birth, origin, and destination, and complete address and name of buyer and seller. The Breeder's Movement Certificate must accompany the shipment and a copy maintained for at least five (5) years by the permit holder. The source of all Class III cervids listed on the Approved Confined Wildlife Species List in 3 CSR 10-9.105 for Class III wildlife breeders must be a Class III breeder facility. The source of all other cervids must be a herd that is enrolled in a United States Department of Agriculture approved Chronic Wasting Disease herd certification program.

12. New permits for big game hunting preserves will not be issued for a period of five (5) years within twenty-five (25) miles of a location where Chronic Wasting Disease-positive animal(s) have been confirmed by the department*[; except, new permits may be issued during this time period for the existing location of a big game hunting preserve with a valid permit.]* **except as follows:**

A. New permits may be issued during this time period for the existing location of a big game hunting preserve with a valid permit; and

B. New permits may be issued during this time period for a big game hunting preserve located more than ten (10) miles and less than twenty-five (25) miles from a location where Chronic Wasting Disease-positive animal(s) have been confirmed by the department, provided –

(I) The perimeter of the preserve is enclosed by a double fence having a minimum distance of ten feet (10') between the interior and exterior fences;

(II) The interior and exterior fences are constructed and maintained in accordance with 3 CSR 10-9.220;

(III) For preserves subject to double fencing requirements as a condition of their permit, all applicable measurements for determining compliance with the minimum acreage requirements of this rule will be based on the interior fence; and

(IV) No animal may be confined, pursued, or taken in the area between the interior and exterior fences on preserves subject to double fencing requirements as a condition of their permit.

13. Live cervids imported into the state shall not be held in a licensed big game hunting preserve. Only cervids born inside the state of Missouri may be propagated, held in captivity, and hunted on big game hunting preserves. Prior to accepting any cervid, the big game hunting preserve must obtain evidence that the cervid was born inside the state of Missouri, such as relevant portions of the breeder's herd certification inventory and movement certificates. The big game hunting preserve shall maintain such documentation for five (5) years and provide to the department upon request.

14. Within thirty (30) days from the revocation or expiration of a licensed Big Game Hunting Preserve Permit for any reason and prior to the removal of any fencing, the permit holder must remove all animals from the premises either by depopulation with approval by a conservation agent, or transfer to a licensed big game hunting preserve with approval by the state wildlife veterinarian. Facilities with a CWD positive within the past five (5) years must depopulate upon revocation or expiration of their permit.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.040, RSMo 2016. This rule previously filed as 3 CSR 10-10.765. Original rule filed Jan. 19, 1972, effective Feb. 1, 1972. For intervening history, please consult the ***Code of State Regulations****. Amended: Filed Sept. 9, 2022.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities approximately three hundred forty-eight thousand ninety-six dollars ($348,096) each year.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at https://short.mdc.mo.gov/Z49. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PRIVATE ENTITY COST

I. RULE NUMBER

Title: 3 - Department of Conservation
Division: 10 Conservation Commission
Chapter: 9 Confined Wildlife: Privileges, Permits, Standards
Type of Rulemaking: Proposed Amendment
Rule Number and Name: **3 CSR 10-9.565 Licensed Hunting Preserve**

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
2 per year	New Big Game Hunting Preserve permit holders within 11-25 miles of a confirmed CWD positive cervid	$348,096 annual aggregate

III. WORKSHEET

{[[[($112,755 expense for a big game hunting preserve fence) + ($7,200 expense for creek crossing) + ($1,418 expense for gates)]*1.434 correction factor]*[(2 number of Big Game Hunting Preserve permits)]]} =

[[$121,373]*1.434]*[2]=

[$174,048]*[2]=

$348,096

IV. ASSUMPTIONS

Currently in the Wildlife Code, new facilities are prohibited within 25-miles of a confirmed Chronic Wasting Disease positive cervid. The current standards for a Big Game Hunting Preserve permit holder that hold cervids is a single fence. The amendment to this Code will allow new permitted facilities, with restrictions, from 11-

25 miles of a confirmed Chronic Wasting Disease positive cervid. These restrictions include that the new facility be double fenced. In 2014, the Department estimated costs for an addition of a perimeter fence at $7.53 per foot of fence. Also in 2014, the Department assumed the need for two gates per facility at $709 each; and assumed the need for two fence crossings per facility for a typical creek at $3600 each. A square 320-acre facility with flat topography is assumed for a Big Game Hunting Preserve. As a result, in 2014, the Department estimated the cost per facility to be $121,373. To account for inflation from 2014 to 2022, we used the Producers Price Index to develop a correction factor of 43.4%. The 2022 estimated cost per facility is $174,048. From fiscal year 2015-2020 there was an average of 2 permits per year issued that were not issued the previous cycle (permits valid for 3 years) for Big Game Hunting Preserve permit that held deer. This is likely an overestimate of annual cost as it is not expected all new facilities will be within the 11-25 miles of a confirmed CWD positive.

Title 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 11 – Wildlife Code: Special Regulations for Department Areas

PROPOSED AMENDMENT

3 CSR 10-11.160 Use of Boats and Motors. The commission proposes to amend paragraph (1)(A)1., add new paragraphs (1)(A)4. and (1)(A)5., and renumber the subsequent paragraph.

PURPOSE: This amendment rescinds the prohibition of float tube use on Reed (James A.) Memorial Wildlife Area. This amendment also modifies the restrictions for the use of boats on Busch (August A.) Memorial Conservation Area and Reed (James A.) Memorial Wildlife Area to allow certain boats other than department-owned boats on designated waters.

(1) Boats (including canoes, kayaks, paddleboards, and sailboats) may be used on lakes and ponds except as further restricted in this chapter. Boats may not be left unattended overnight. Houseboats, airboats, and personal watercraft as defined in section 306.010, RSMo, are prohibited. Float tubes may be used for authorized fishing and hunting activities. Registration and a fee may be required for rental of department-owned boats. Fees shall be paid prior to use.

(A) Except as provided below, only electric motors are permitted on lakes and ponds of less than seventy (70) acres. Electric motors and outboard motors are permitted on lakes of seventy (70) or more acres and on certain areas in conjunction with waterfowl hunting, except as otherwise provided in paragraph (1)(A)2. of this rule. Outboard motors in excess of ten (10) horsepower must be operated at slow, no-wake speed, except as otherwise provided in paragraph (1)(A)3. of this rule.

1. Only department-owned boats may be used, only electric motors are permitted, and the use of float tubes is specifically prohibited on the following department areas:

A. Blind Pony Lake Conservation Area

[B. Busch (August A.) Memorial Conservation Area]

*[C.]***B.** Hunnewell Lake Conservation Area

[D. Reed (James A.) Memorial Wildlife Area]

2. On DeLaney (Robert G.) Lake Conservation Area, only electric motors are permitted.

3. On Thomas Hill Reservoir Conservation Area, houseboats are prohibited at all times, and all boating is prohibited on the main arm of the lake above Highway T from October 15 through January 15. No other restrictions in this section apply to this area.

4. On Busch (August A.) Memorial Conservation Area, only department-owned boats may be used, only electric motors are permitted, and the use of float tubes is specifically prohibited, except –

A. Canoes and kayaks launched by hand may be used only by the holder of a valid area boating tag on Lakes 6, 34, 35, 36, and 38 from April 1 through September 30. Prior to launching, a user of each canoe or kayak must register their boat at the area headquarters to obtain an area boating tag and must check out at the area headquarters immediately after leaving the water. Area boating tags are issued for a specific canoe or kayak and are valid only for the specific lake designated on the tag. An area boating tag may not be obtained for more than one (1) lake at the same time or for any canoe or kayak that is currently registered under a valid area boating tag; and

B. Canoes and kayaks launched by hand may be used without an area boating tag on Lakes 6, 34, 35, 36, and 38 from October 1 through March 31.

5. On Reed (James A.) Memorial Wildlife Area, the use of carry-in boats and float tubes as authorized in section (1) of this rule may only be used on designated waterfowl hunting pools and the following lakes:

A. Catclaw Lake;

B. Cottontail Lake;

C. Gopher Lake; and

D. Jackrabbit Lake.

*[4.]***6.** Boats are prohibited on the following department areas:

A. Bellefontaine Conservation Area**; and**

B. Weldon Spring Conservation Area (lakes and ponds)**.**

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.040, RSMo 2016. This rule was previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the ***Code of State Regulations****. Amended: Filed Sept. 9, 2022.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at https://short.mdc.mo.gov/Z49. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 7 – MISSOURI DEPARTMENT OF TRANSPORTATION
Division 10 – Missouri Highways and Transportation Commission
Chapter 17 – Supplemental Guide Sign Program

PROPOSED AMENDMENT

7 CSR 10-17.020 Definitions. The Missouri Highways and Transportation Commission is amending sections (2), (4), (20), (22), (24), (25), (30), (33), (34), (37), (40)–(45), (47), and (49), adding a new section (33), and renumbering as necessary.

PURPOSE: This amendment is primarily editorial changes for clarification purposes, the deletion of the twenty-four- (24-) hour pharmacy reference to comply with the new federal regulation which eliminates this category and the addition of the definition of Agritourism to expand participation in the TODS signing program.

(2) "Alternate *[f]***F**uel" – a fuel type other than gasoline or diesel that can be used to power a vehicle on the highway and includes, but is not limited to, ethanol blended gasoline (E-85), biodiesel (B-20), *[C]***c**ompressed *[N]***n**atural *[G]***g**as (CNG), propane, or electric vehicle **(EV)** charging *[(EV)]*.

(4) "College Emblem Sign" – a supplemental guide sign displaying emblem panels of up to six (6) colleges or universities meeting the criteria in this rule on emblem panels. *[Up to]* **A maximum of** two (2), three (3), or six (6) college emblem panels may be displayed on a sign with the sign size being based solely on the potential number of

schools that may request signs at a given interchange.

(20) "Interstate" – the *[national system of interstate and defense highways located in Missouri as officially designated by the Missouri Highways and Transportation Commission in accordance with Title 23 of the United States Code, Sections 101 and 103, which is incorporated by reference and made a part of this rule as published by the United States Government Publishing Office, 732 North Capitol Street, NW, Washington, DC 20401-0001, effective October 1, 2016. This rule does not incorporate any later amendments or additions]* **Dwight D. Eisenhower National System of Interstate and Defense Highways**.

(22) "Logo Program" or "Logo*[s]*" – a specific service signing program that provides directional signing to businesses which offer motorist services (gas, food, lodging, **and** camping*[, and twenty-four- (24-) hour pharmacy]*) and tourist attractions.

(24) "Mainline Sign" – the sign installed in advance of an interchange along the mainline of an interstate, freeway, or expressway informing motorists *[what]* **of the** services or attractions *[are]* accessible from that *[particular]* interchange.

(25) "Motorist Services" – a business which provides one (1) or more of the following services: gas, food, lodging, **or** camping*[, or twenty-four- (24-) hour pharmacy]*. Signing for motorist services is limited to the Logo and TODS programs and meets the following criteria:

(A) Gas and diesel vehicular service stations shall provide fuel, oil, water, air, restroom facilities, drinking water, a telephone available to the public for emergencies, and be in continuous operation at least twelve (12) hours a day, seven (7) days per week. *[Alternate vehicle fuels]* **Alternative fuel** availability at these sites can be displayed as a secondary message at the bottom of a Logo panel or within the TODS sign legend. If this information cannot be displayed as part of the Logo or TODS sign, it may be displayed as a general service sign placed below the gas Logo mainline and ramp signs or below the TODS sign for the facility offering the *[alternate]* **alternative** fuel. A maximum of two (2) **general service** signs may be displayed below a TODS sign, one (1) attached to each of the TODS sign posts. When general service signs are used, the **alternative** fuel *[station]* **site** shall be within three (3) miles of the interchange, located along the crossroad of the interchange, be clearly visible from the crossroad, with the availability of the *[alternate]* **alternative** fuel clearly identified on the on-premise signing *[of the fuel station]* **of the site**. The distance to the *[service fuel station]* **alternative fuel site** will be displayed along with the general service logo where the distance is greater than one (1) mile;

(B) Electric *[V]***v**ehicle *[C]***c**harging (EV **charging**) sites shall be equipped with level two (2) or level (3) systems compatible with all electric vehicles, have the capacity to charge a minimum of two (2) vehicles at the same time, and be available to any user regardless if the user is a patron of the site offering the EV charging station. EV **charging** availability may be displayed as a supplemental message at the bottom of a Logo panel or within a TODS sign legend for *[any of the program categories as long as the site meets all the minimum qualifications for the category]* **sites participating in the TODS or Logo program under the gas category**. **EV charging stations located at businesses participating in the TODS or Logo programs under categories other than gas may be signed using the general service signing for EV charging in accordance with the requirements of the application of general service signing in this rule**;

(C) Food and restaurant facilities shall be approved and/or licensed by the state or political *[entity]* **subdivision** having jurisdiction and be in continuous operation to serve *[a minimum of]* **at least** two (2) meals *[a]* **per** day (**i.e.,** breakfast, lunch, and/or dinner), six (6) days *[a]* **per** week, be open to the public a minimum of ten (10) hours per day, have accommodations to seat a minimum of twenty (20) guests at tables indoors or a minimum of ten (10) drive-up ordering/eating stations, and provide restroom facilities and a telephone available to the public for emergencies;

(D) Lodging, motel, and hotel facilities shall be approved and/or licensed by the state agency or political *[entity]* **subdivision** having jurisdiction, have a minimum of ten (10) rooms *[and]* **with each room having its own restroom facility, including a shower and/or bath tub,** sufficient off-street parking **for all guests**, *[have]* telephones *[available for public use]* **in each room**, and be open twenty-four (24) hours a day, seven (7) days a week;

(E) Camping and campground facilities shall be approved and/or licensed by the state agency or political *[entity]* **subdivision** having jurisdiction, provide *[modern sanitary]* **restroom** facilities*, [and]* drinking water, *[provide a minimum of]* **at least** twenty (20) camping and parking spaces, and be open twenty-four (24) hours *[a]* **per** day, seven (7) days *[a]* **per** week for a minimum of six (6) consecutive months per year. Signing for campgrounds operated on a seasonal basis will be covered with a blue background aluminum panel of appropriate size or removed from the sign during the off season*[; and]***.**

[(F) Twenty-four- (24-) hour pharmacies shall be continuously operated twenty-four (24) hours per day, seven (7) days per week, and have a state-licensed pharmacist on duty at all times.]

(30) "Qualified Entity" – a site that meets one (1) of the following categories and meets all of the criteria *[listed in this]* **of this** rule:

(33) "Restroom Facility/Facilities" – a modern sanitary facility comprising a minimum of one (1) sink with running water and one (1) flushing toilet.

*[(33)]***(34)** "Rural Area" – an *[area]* **incorporated area, an unincorporated U.S. Census-designated place or a county** in which the population is equal to or less than five thousand (5,000) persons.

*[(34)]***(35)** "Satellite College/University Site" – a branch site of a college/university *[that is physically located at a distance]* **located at a site apart or away** from the primary university or college. The primary campus may be located in a different city or state from the traditional college/university campus or the primary college/university site.

*[(35)]***(36)** "Second Connection" – the sign location in advance of the intersection or interchange where motorists turn to access the state highway where first connection signing is provided.

*[(36)]***(37)** "Specific Service Sign" – a supplemental guide sign displaying Logo panels for specific businesses that provide eligible motorist services or tourist attractions as outlined in this rule.

*[(37)]***(38)** "Standard" – the department's **current versions of the** Standard Plans for Highway Construction**,** *[and/or]* Standard Specifications for Highway Construction**,** *[and/or]* **and the** policies found in the **department's** Engineering Policy Guide.

*[(38)]***(39)** "Third Connection" – the sign location in advance of the intersection or interchange where motorists turn to access the state highway where second connection signing is provided.

*[(39)]***(40)** "TODS Program" or "TODS" – Tourist Oriented Directional Signing, a signing program, which provides directional signs to tourist-oriented activities and motorist services in the state of Missouri meeting the criteria of this rule.

*[(40)]***(41)** "TODS Sign" – a sign displaying the name of qualified entities that provide eligible tourist attractions or motorist services**,** as *[outlined]* **written** in this rule**,** displayed as a stand-alone sign or as part of a TODS sign assembly.

*[(41)]***(42)** "Tourist Attraction" – a tourist-oriented activity where the site's primary function, or offering, is as a natural phenomenon, historic site, cultural site, museum, educational site, area of natural beauty, recreational site, or memorial monument as defined below, and a major portion of whose income or visitors are derived during the normal business season from motorists **and are open to the public without reservations**. Attendance in any consecutive twelve- (12-) month period shall meet or exceed the minimum requirements established in this rule for the Logo, TODS, or Traffic Generator programs *[and]***. In addition, qualifying tourist attractions are to** be open for business at least **three (3) months per year,** four (4) hours per day, at least five (5) days per week with at least one (1) day being a Saturday or Sunday unless otherwise indicated in this rule, have public restroom facilities, and a minimum of ten (10) parking *[accommodations]* **spaces**.

(A) "Natural phenomenon" – a feature created by nature. Examples may include*[,]* but are not limited to*[,]* unusual rock formations, caves, geysers, or waterfalls.

(B) "Historic site" – a structure, site, or district that has definite historical significance and shall be listed on the **National Park Service's** National Register of Historic Places**, which can be found at https://www.nps.gov/subjects/nationalregister/index.htm**.

(C) "Cultural site" – any facility for the performing arts, exhibits, or concerts that is open to all age groups.

(D) "Museum" – a facility *[open to the public at least one hundred (100) days per year,]* in which works of artistic, historical, or scientific value are cared for and exhibited to all age groups.

(E) "Educational site" - sites which include:

1. "Zoological" or "botanical park" – a facility in which living animals, insects, or plants are kept and exhibited to the public;

2. "Facility tours" – regularly scheduled tours of plants, factories, working farms, or institutions where the tours are conducted on a regularly scheduled daily basis *[for the general public without the need for reservations]* conducted during normal working hours of the facility. Tours shall be a minimum of thirty (30) minutes in duration, be educational in format, informing the public how the products from the facility are produced or grown, and be *[made known]* **communicated** to the *[general]* public by posting the information on the facility website, pamphlets**,** *[and]* brochures, or anywhere the hours of operation for the facility can be found. *[Retail]* **This does not include retail** outlets *[who]* **which** do not fabricate or grow their products *[do not qualify]*; *[and]*

3."Wineries**,**" *[or]* "breweries**," or "distilleries"**– a licensed site which produces a minimum of five hundred (500) gallons of wine**,** *[and/or]* beer**, or spirits** per year, *[which is]* open to the public for guided tours*[,]* **or** tasting, *[sells a minimum of one hundred (100) days per year,]* and meet the **additional** requirements *[defined under]* **of** "facility tours*[.]*" **as defined in this rule; and**

4. "Agritourism sites" – An agricultural site open to the public providing the opportunity to visit a working farm, ranch, or other agricultural facility for the purposes of education, participating in the activities of the site, or purchasing products produced by the site. Qualifying sites are those locations where the products are grown/raised and harvested, where visitors can purchase pre-harvested products or have the option to select and harvest products directly from the fields. Examples of qualifying sites include but are not limited to Christmas tree farms, pumpkin patches, blueberry farms, and apple orchards. This does not include remote sites in which agricultural products have been transported for sale away from the farm, ranch, or other agricultural site producing the products. Examples of non-qualifying sites would include but are not limited to farmers markets, roadside produce stands, and Christmas tree sale lots. Qualifying agritourism sites may only participate in the TODS program and are to be open for business a minimum of four (4) weeks per year, four (4) hours per day, at least five (5) days per week with at least one (1) day being a Saturday or Sunday.

(F) "Area of natural beauty" – a naturally occurring area of outstanding interest to the *[general]* public. Examples may include*[,]* but are not limited to*[,]* state or national parks, wilderness areas, lakes, rivers, canyons, or similar areas.

(G) "Recreational *[S]***s**ite" – sites which include:

1. "Recreational area" – an area *[that includes,]* **conducive to outdoor recreation including** but *[is]* not limited to*[,]* bicycling, boating, fishing, swimming, hiking, rafting, picnicking, snowmobiling, cross country skiing, or snow skiing;

2. "Amusement parks" – a permanent area which *[is open to the general public offering]* **offers** entertainment including*[,]* but not limited to*[,]* games, rides, and/or food services for all ages *[and is in operation more than three (3) consecutive months per year]*;

3. "Arenas" – a stadium, sports complex, auditorium, fairgrounds, civic or convention center, or racetrack which have *[at least]* seating for **at least** five thousand (5,000) people**,** *[holding public events open to all groups on]* **open and/or holding public events** at least one hundred (100) days of the year;

4. "Golf course" – a facility *[open to the public and]* offering at least nine (9) holes of play;

5. "Sports complex" – an outdoor facility offering a large group of fields and/or courts where multiple games can be played at the same time. These complexes typically support one (1) or more of, but not limited to, the following sports: soccer, baseball, softball, basketball**,** *[and/]*or tennis; and

6. "Excursion gambling boat" – a boat, ferry, *[or]* other **floating** facility**, or any non-floating facility** licensed by the **Missouri** gaming commission on which gambling games are *[allowed]* **permitted by law.**

(H) "Memorial *[M]***m**onuments" – a statue, obelisk, landmark, or other structure which commemorates a person, group, or event of regional, state, or national significance. Memorial monument sites shall meet the minimum qualifications of the TODS, Logo, or Traffic Generator program to qualify for a supplemental guide sign **and be accessible to the public three hundred sixty-five (365) days per year**.

*[(42)]***(43)** "Traditional College/University Campus" – the land on which the institutional home of a college/university and its related buildings are situated. The campus will be comprised of a series of buildings on one (1) piece of property owned and operated by the college/university, typically in a

park-like setting. The buildings *[will]* **could** serve as, but **are** not limited to, administration, classrooms, labs, auditoriums, *[and/]*or stadiums. *[Garages]* **This does not include garages**, maintenance buildings, or other buildings not supporting education *[are not considered related buildings to qualify as a campus]*.

*[(43)]***(44)** "Traffic Generator" – a qualified **publicly or privately owned** entity meeting the criteria of a tourist attraction, but not including*[,]* golf courses or excursion gambling boats. **Publicly owned traffic generators are typically owned and operated by the state or federal governments, city or county jurisdictions, do not charge entry fees to utilize the facilities and are typically non-profit or not-for-profit. Privately owned traffic generator sites are typically owned and operated by individuals or organizations which charge entry and user fees and are revenue-producing.**

*[(44)]***(45)** "Traffic Generator Program" – a supplemental guide sign program, which provides *[guidance]* **directional information** to qualified entities, schools, governmental agencies, and colleges.

*[(45)]***(46)** "Traffic Generator Sign" – a supplemental guide displaying the name and logo, when *[permissible in]* **permitted by** this rule, of the qualified entity.

*[(46)]***(47)** "Trailblazer Sign" – a sign with an arrow and site name/logo information which provides directional information for any necessary turns from the furthest extent of the signing to the qualified entity's location. Legal, off-premises, directional outdoor advertising may be substituted for trailblazer signs if erected prior to the installation of a Logo or TODS sign.

*[(47)]***(48)** "Urban Area" – an *[area]* **incorporated city or U.S. Census-designated place** in which the population is greater than five thousand (5,000) persons.

*[(48)]***(49)** "Visible" – an unobstructed view of the on-premise sign of a site by a motorist who is able to see and recognize the site as the destination they are seeking in sufficient time to safely make the necessary maneuvers to access the facility.

*[(49)]***(50)** "Welcome Center Affiliate" – a local chamber of commerce, a local convention and visitor bureau, or an institution of higher education with an established tourism curriculum *[which serves]* **serving** to increase the number of welcome centers in Missouri without expending state funds **and otherwise** meeting the criteria of this rule.

AUTHORITY: Art. IV, section 29, Mo. Const., section 226.535, RSMo 2016, and 23 ***United States Code*** *Section 131(f). Material in this rule originally filed as 7 CSR 10-9, 7 CSR 10-17, and 7 CSR 10-22. Original rule filed Nov. 14, 2014, effective June 30, 2015. Amended: Filed Oct. 6, 2017, effective May 30, 2018. Amended: Filed Sept. 9, 2022.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 7 – MISSOURI DEPARTMENT OF TRANSPORTATION
Division 10 – Missouri Highways and Transportation Commission
Chapter 17 – Supplemental Guide Sign Program

PROPOSED AMENDMENT

7 CSR 10-17.030 Administration. The Missouri Highways and Transportation Commission is amending sections (5), (7), and (10), and adding a new section (13).

PURPOSE: This amendment includes editorial changes for clarification and adds additional detail regarding how signs for seasonal sites are addressed during their off season.

(5) No qualified entity may discriminate or be discriminated against with regard to race, color, religion, sex, age, handicap, or national origin. Each qualified entity identified by a Logo, TODS, or Traffic Generator sign shall have furnished written and notarized certification to the program manager of *[its conformity with]* **the entity's conformance to** all applicable federal, state, and local laws, ordinances, rules, and regulations, and not be in breach of that certification.

(7) *[Signs]* **A sign removed for any of the reasons in subsections (7)(A)–(7)(C) will be charged a department-approved fee for re-installation. All fees paid by the qualified entity are not subject to refund. A qualified entity's sign** may be removed *[after notification by certified mail a minimum of thirty (30) days in advance of permanent removal of a qualified entity's sign]* **no earlier than thirty (30) days after notification by the program administrator through written correspondence** for any of the following reasons:

(A) Failure to pay fee; **or**

(B) Failure to meet the minimum requirements set forth by these rules for each program type; **or**

(C) Delinquency as to any of the previously mentioned violations*[; and]***.**

[(D) A sign removed for any of the reasons in subsections (7)(A)–(7)(C) will be charged a department-approved fee for reinstallation. All fees paid by the qualified entity are not subject to refund.]

(10) At the end of their business season, a qualified entity not open year round will have their sign taken out of service *[with a "Closed" panel placed on their traffic generator sign(s), place a "Closed" panel and cover with a blue panel, or the program manager will have the authority to remove their TODS or Logo sign.]* **to convey to the public the site is not open.**

(A) *[A qualified entity which has not received a sign(s) due to insufficient space will not utilize the space made available by a qualified entity's sign which has been removed during the off-season.]* **A fee, approved by the commission, will be assessed to take a sign in and out of service in one (1) of the following ways, depending on the signing program and the circumstances of the installation:**

1. For traffic generator signs - a CLOSED plaque will be placed on the sign(s);

2. For Logo signs - the Logo will be removed from the Logo sign(s);

3. For TODS sign(s) –

A. The TODS sign(s) will be removed; or

B. A CLOSED plaque will be placed over the directional arrow/mileage display on the sign(s); or

C. If the season of operation can be defined by a term of months, then a supplemental panel(s) can be displayed below the TODS sign(s). Any given month will be displayed only if the site is open at least fifty percent (50%) of that month.

(B) *[A fee, approved by the commission, will be assessed to take a sign in and out of service.]* **A qualified entity which has not received a sign(s) due to insufficient space will not be permitted to use the space made available by another qualified entity's sign which has been removed during the off-season.**

(13) An appeal or other request for review by any applicant regarding the decisions of the program manager must be submitted in writing to the department's State Highway Safety and Traffic Engineer, PO Box 270, Jefferson City, MO 65102.

AUTHORITY: Art. IV, section 29, Mo. Const., section 226.535, RSMo 2016, and 23 ***United States Code*** *Section 131(f). Material in this rule originally filed as 7 CSR 10-9, 7 CSR 10-17, and 7 CSR 10-22. Original rule filed Nov. 14, 2014, effective June 30, 2015. Amended: Filed Oct. 6, 2017, effective May 30, 2018. Amended: Filed: Sept. 9, 2022.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 7 – MISSOURI DEPARTMENT OF TRANSPORTATION
Division 10 – Missouri Highways and Transportation Commission
Chapter 17 – Supplemental Guide Sign Program

PROPOSED AMENDMENT

7 CSR 10-17.040 Requirements for Tourist Oriented Directional Signing. The Missouri Highways and Transportation Commission is amending sections (1) and (2).

PURPOSE: This amendment implements editorial changes for clarification purposes.

(1) A qualified entity eligible for Tourist Oriented Directional Signing (TODS) signs shall meet the criteria as a tourist attraction or a motorist service *[(not including twenty-four- (24-) hour pharmacies)]***,** as defined in this rule, have a minimum annual attendance of two thousand (2,000) visitors in a consecutive twelve- (12-) month period*[, and signing]*. **Signing** will be limited to the following distances from the site:

(2) If the installation of a TODS sign directing traffic onto a non-state route at an intersection is determined to be necessary by the program manager, the program manager will contact the appropriate *[local]* jurisdiction *[who owns]* **owning** the roadway and obtain written consent for such TODS installation. If *[permission for erecting trailblazing signs cannot be obtained from]* the appropriate *[local authorities]* **authority owning the roadway refuses to consent**, that qualified entity shall not be eligible for TODS at that intersection.

AUTHORITY: Art. IV, section 29, Mo. Const., sections 226.020, 226.130, and 226.525, RSMo 2016. Material in this rule originally filed as 7 CSR 10-9, 7 CSR 10-17, and 7 CSR 10-22. Original rule filed Nov. 14, 2014, effective June 30, 2015. Amended: Filed Oct. 6, 2017, effective May 30, 2018. Amended: Filed Sept. 9, 2022.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 7 – MISSOURI DEPARTMENT OF TRANSPORTATION
Division 10 – Missouri Highways and Transportation Commission
Chapter 17 – Supplemental Guide Sign Program

PROPOSED AMENDMENT

7 CSR 10-17.050 Logo Signing. The Missouri Highways and Transportation Commission is amending sections (1), (2), (3), (5), and (8), and adding new sections (9)–(11).

PURPOSE: This amendment makes editorial changes for clarity, removes the references for twenty-four- (24-) hour pharmacies, which is being eliminated from the federal rules as a qualifying category, adds EV Charging as an option for a secondary fuel message, and adds clarification concerning the acceptable locations signs may be installed.

(1) To participate in the Logo signing program, a qualified entity must be a tourist attraction or provide one (1) or more of the following services: gas, food, lodging*[,] or camping, [twenty-four- (24) hour pharmacy,]* and have a minimum annual attendance of five thousand (5,000) visitors in a consecutive twelve- (12-) month period.

(A) Specific service signs shall be erected only for a qualified entity located within three (3) miles of the interchange as measured along the path from the interchange to the qualified entity*[. The measurement]* starting from the intersecting centerlines of the freeway and crossroad at the interchange to the nearest edge of the business structure projected at a right angle to the roadway centerline. If the capacity of the existing individual service sign for a specific business is not fully utilized, a successive three (3) mile increment may be considered for that specific type business on a temporary basis

until the space is requested by a qualified entity within the initial three (3) mile distance. The qualified entity occupying the space on a temporary basis will remain in place *[to]* **until** the end of its annual participation agreement. Existing signs shall not be made larger or new signs installed to make room for qualified entities beyond the initial three (3) mile distance. The maximum distance allowed for each category from the interchange is equal to –

1. Gas, food, and lodging services *[-]* – six (6) miles; **and**

2. Camping services or tourist attractions *[-]* – fifteen (15) miles*[; and]***.**

[3. Twenty-four- (24-) hour pharmacies - three (3) miles.]

(E) A business may have Logo panels installed at a second interchange, provided it meets all the requirements as set forth in these regulations and its participation at the second interchange does not prevent another eligible business from participating in the Logo Program at that interchange. Should *[a qualified entity]* **an eligible business** choose to participate in the Logo program at the second interchange location, the *[business]* **business's logo panel** occupying space at the second interchange will be removed when its participation agreement has expired.

(F) In the event that a business provides more than one (1) motorist service, it may be eligible to display a Logo panel for each service it provides on the proper specific service sign, provided the following conditions are met:

1. *[It]* **The business** meets all minimum criteria for the service;

2. *[It]* **Displaying multiple Logo panels for the same business** does not prevent participation by another business*[, which]* **that** offers a sole service and would otherwise qualify for placement on the specific service sign. Should *[a qualified entity]* **an eligible business** choose to participate in the Logo program at one (1) of the locations the business is displaying a secondary motorist service, the secondary Logo panel will be removed when its participation agreement expires; and

3. Space is available on the specific service sign.

(2) When more than six (6) qualified entities of the same motorist service type wish to participate in the Logo program at the same interchange, up to six (6) Logo panels for this motorist service type may be installed*[,]* or roll over*[,]* onto a second specific service sign if the second specific service sign is empty or can be subdivided as stated in the supplemental signing program rules. No more than twelve (12) Logo panels for one (1) type of motorist service will be displayed at a single interchange on a maximum of two (2) specific service signs. The qualified entities occupying space on the second specific service sign may remain in place until such time as the space is needed by other qualified entities of other motor service types**,** not currently displayed at the interchange**,** choose to participate in the Logo program at that interchange. When this occurs, the qualified entities *[which]* rolled over onto the second specific service will *[remain in place until their]* **be removed when its** participation agreement expires.

(3) If the requests to place Logo panels on specific service signs exceed the available space, the following criteria will be used to determine the allocation of spaces:

(B) The first six (6) qualified applicants for gas, food, lodging, camping, **and** tourist attractions*[, and pharmacies]* will be selected to place their Logo panels on the specific service sign. When a tourist attraction and another motor service type are combined on a single specific service sign, the first three (3) qualified tourist attractions and first three (3) of the other motor service type that share the same specific service sign will be selected;

(D) Changes in the Logo panels displayed on the specific service sign *[which result from the previous rules will take place when the participation agreement for the business in question on the specific service sign expires]* **will take place at the time of contract renewal**.

(5) Where both Tourist Oriented Directional Signing (TODS) and Logo trailblazer signing *[would be]* **is** needed at the same intersection, the TODS signs will incorporate the needed information from, and be used in place of, the Logo trailblazer sign.

(8) Logo panels will be constructed and installed as follows:

(A) Only a qualified entity's name, brand name, trademark, corporate logo, or commercial symbol shall be used. Logo and word messages shall not both be displayed on the Logo unless otherwise permitted in this rule. If a nationally, regionally, or locally recognized commercial symbol, corporate logo, or trademark is available, *[it should be used in preference]* **displaying such symbol, logo, or trademark is preferred** to any other form of business identification. The department has the right to review and approve or deny *[the]* **any** requested design –

1. The logo panel for a gas station/convenience store may display names, brand names, trademarks, corporate logos, commercial symbols, or other words, signs or symbols representing the brand of motor fuel and the convenience store name so long as the same or substantially similar words, signs, or symbols are permanently displayed on the business and are the same or substantially similar to the business name, business entity, or the doing business as "dba" name as registered with the Missouri Secretary of State's office. If the fuel brand name is different than the convenience store name, the fuel brand shall be displayed in the predominate position (top or left of the logo panel) and represent no less than fifty percent (50%) of the logo area; and

2. The federal regulation on this issue, as interpreted by Federal Highway Administration (FHWA) guidance, suggests that blended logo panels are not allowed; however, the language of the federal regulation appears to allow this compromise so long as both logos are contained in the business name, business entity, or "dba."

(B) Logo panels cannot display a message which advertises a product rather than identifying a business. Any exception must be approved by the department. *[On gas Logo panels, diesel, ethanol]* **Ethanol** or E-85, Biodiesel or B20, Compressed Natural Gas or CNG, Propane, **EV Charging,** or Food Mart text may be included **on gas Logo panels** as a secondary message in the lower portion of the Logo panel; and

(9) Logo signs are not permitted at an interchange which connects to another freeway. No interchange to interchange signing is permitted.

(10) Logo signs are not permitted at an interchange exit where the single exit ramp splits into two (2) or more ramps before connecting to the crossroad.

(11) Logo signs are not permitted in an area where there is less than three-quarters (3/4) of a mile between interchange gore points when measured in one (1) direction or otherwise approved by the department.

AUTHORITY: Art. IV, section 29, Mo. Const., section 226.535, RSMo 2016, and 23 ***United States Code*** *Section 131(f). Material in this rule originally filed as 7 CSR 10-9, 7 CSR 10-17, and 7 CSR 10-22. Original rule filed Nov. 14, 2014, effective June 30, 2015. Amended: Filed Oct. 6, 2017, effective May 30, 2018. Amended: Filed Sept. 9, 2022.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

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NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 7 – MISSOURI DEPARTMENT OF TRANSPORTATION
Division 10 – Missouri Highways and Transportation Commission
Chapter 17 – Supplemental Guide Sign Program

PROPOSED AMENDMENT

7 CSR 10-17.060 Traffic Generators. The Missouri Highways and Transportation Commission is amending sections (1)–(5) and (7)–(12).

PURPOSE: This amendment makes editorial changes and adds additional language for clarity.

(1) A traffic generator is eligible to have signs up to the third connection*[.]***;** however, signing cannot extend beyond the first interchange encountered regardless if the interchange is the first, second, or third connection.

(2) Traffic generator signing cannot be *[installed]* **erected** at an interchange which connects to another freeway. No interchange to interchange signing is permitted.

(3) Traffic generator signs cannot be erected at an interchange *[where one (1) exit ramp]* **exit where the single exit ramp** splits into two (2) or more ramps before connecting to the crossroad.

(4) Traffic generator signs cannot be erected in an area where there is less than three-quarters (3/4) of a mile between interchange gore points when measured in one (1) direction or as **otherwise** approved by the department.

(5) Signs may be provided on each freeway located within twenty (20) miles of the traffic generator in a rural area or within five (5) miles in an urban area *[as]***. Distances shall be** measured along the path from the interchange/intersection to the traffic generator*[. The distance is measured along the path starting from]* **beginning at** the intersecting centerlines of the interchange/intersection and the crossroad and *[ends]* **ending** at the nearest edge of the traffic generator projected at a right angle to the roadway centerline.

(7) Tourist Oriented Traffic Generator. To be considered eligible as a tourist oriented traffic generator**,** a qualified entity must meet the definition of a tourist oriented attraction in this rule as well as *[meet the following criteria:]*

[(A) Have] **having** a minimum annual attendance of two hundred thousand (200,000) in rural areas, two hundred and fifty thousand (250,000) in urban areas, and three hundred thousand (300,000) in the St. Louis and Kansas City metropolitan areas**.** *[; and]*

[(B) Be open for business at least four (4) hours per day, at least five (5) days per week with one (1) day being a Saturday or Sunday, be fully operative and open to the traveling public for a minimum of three (3) months each year unless otherwise indicated in this rule, have public restroom facilities, and have sufficient on premise parking to accommodate all visitors.]

(8) College Generator. To qualify for college generator signs**,** a qualified school shall meet all the definitions of this rule as well as the following criteria:

(B) The *[qualifying]* school site and the courses taught at the school are accredited by an organization recognized by the U.S. Department of Education or by the Council for Higher Education. The department will determine the eligibility of each school;

(F) *[College generator signs only provide guidance to]* **Be** the primary school campus. Individual schools on or off campus (i.e. school of engineering, nursing, etc.), research parks, or research farms do not qualify for signs;

(I) Have a minimum of five hundred (500) registered students attending face-to-face classes on campus. The department may acquire the three- (3-) year average attendance from the Department of Higher Education or the school may provide a notarized letter attesting to their average face-to-face enrollment for the specific site being signed for; **and**

[(J) The logo for the school is only to be displayed on the mainline sign; and]

*[(K)]***(J)** No qualified school may participate in more than one (1) type of college signing program off of a given state highway.

College Generator mainline signs display the name of the school and the school logo, subsequent ramp and trailblazer signs only display the school name.

(9) College Emblem Signing. To qualify for college emblem signs**,** a qualified school shall meet all the definitions of this rule as well as the following criteria:

(B) The *[qualifying]* school site and the courses taught at the school are accredited by an organization recognized by the U.S. Department of Education or by the Council for Higher Education. The department will determine the eligibility of each school;

(D) Face-to-face classroom settings between students and faculty is the primary source of education. Web-based *[or]* **classes and** telecommunication centers *[does]* **do** not meet this requirement;

(E) *[College emblem signs only provide guidance to]* **Be** the primary school campus. Individual schools on or off campus (i.e**.,** school of engineering, nursing, etc.), research parks, or research farms do not qualify for signs;

[(F) If third connection does not reach an interchange, the signing will begin at the third connection. The type of signing used to mark the path will consist of college emblem style trailblazer sign only;]

*[(G)]***(F)** Have a minimum of one hundred (100) registered students attending face-to-face classes on campus. The department may acquire the three- (3-) year average attendance from the U.S. Department of Higher Education or the school may provide a notarized letter attesting to their average face-to-face enrollment for the specific site being signed for;

*[(H)]***(G)** No qualified school may participate in more than one (1) type of college signing program off of a given state highway; and

*[(I)]***(H)** If only one (1) school is displayed on a college emblem sign, that school has the option to display their school name

in text, with no logo, instead of being displayed on an emblem panel. The college emblem sign size will remain the same size in either case. If additional schools need to be displayed on the college emblem sign, the original school display will revert to the emblem format in order to accommodate the display of additional schools.

If third connection does not reach an interchange, the signing will begin at the intersection that represents the third connection. If the signing begins at an intersection and not at an interchange, the type of signing used to mark the path will consist of college emblem style trailblazer signs only.

(10) State and Federal Agency. State and federal agency traffic generator*[s are required to meet the criteria in this rule for traffic generators, but do not have a]* **sites are not required to meet** minimum annual attendance requirement**s as these sites are publicly owned facilities, are generally open to the public with no access fees, and individual sites are many times part of larger regions, such as national forests or river systems**. **Unlike privately owned traffic generator sites, whose primary justification for participating in signing programs is to increase attendance and revenue, state and federal sites are non-profit and choose to participate in signing programs simply to aid the public in reaching these facilities.** State and federal agency traffic generators are *[limited to]* –

(C) Federal agency traffic generators include, but are not limited to, **federal** recreational sites, historic sites, forests, river accesses, campgrounds, and lakes, which are operated by U.S. Corp of Engineers, U.S. Forest Service, U.S. Fish and Wildlife, or National Park Service.

(11) State Correction Centers. Correction centers operated by the Missouri Department of Corrections are eligible for traffic generator signs at the first connection only. If the first connection is at an interchange, the first connection may include both the mainline and ramp sign. *[Before]* **Approval from the political subdivision(s) in which the correctional facility is located must be obtained before** signing will be considered*[, approval from the local government where the correctional facility is located must be obtained].* Minimum attendance requirements do not apply.

(12) Welcome Center Affiliate. Welcome center affiliates, approved by the Division of Tourism, are eligible for traffic generator signs and are required to meet the criteria in this rule, *[but do not have a]* **except the** minimum annual attendance requirement**s**. Signs will be allowed up to a maximum of six (6) miles from the affiliate in a rural area and two (2) miles in an urban area. Before *[the]* participation agreement *[can]* **may** be executed, the potential affiliate must first receive their certification letter from the Division of Tourism.

AUTHORITY: section 226.525, RSMo 2016, and 23 U.S.C. section 131. Material in this rule originally filed as 7 CSR 10-9, 7 CSR 10-17, and 7 CSR 10-22. Original rule filed Nov. 14, 2014, effective June 30, 2015. Amended: Filed Oct. 6, 2017, effective May 30, 2018. Amended: Filed Sept. 9, 2022.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 7 – MISSOURI DEPARTMENT OF TRANSPORTATION
Division 60 – Highway Safety and Traffic Division
Chapter 1 – Motorcycle Safety Education Program

PROPOSED RESCISSION

7 CSR 60-1.010 Definitions. This rule defined terms used in the rules which pertain to the administration and operations of the Motorcycle Safety Education Program.

PURPOSE: This rule is being rescinded and readopted to update the Motorcycle Safety Education Program rules with current practices.

AUTHORITY: section 302.134, RSMo 2016. This rule originally filed as 11 CSR 60-1.010. Original rule filed March 20, 1996, effective Sept. 30, 1996. Amended: Filed Nov. 15, 2001, effective June 30, 2002. Moved to 7 CSR 60-1.010, effective Aug. 28, 2003. Amended: Filed Oct. 17, 2016, effective July 30, 2017. Rescinded: Filed Sept. 9, 2022.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 7 – MISSOURI DEPARTMENT OF TRANSPORTATION
Division 60 – Highway Safety and Traffic Division
Chapter 1 – Motorcycle Safety Education Program

PROPOSED RULE

7 CSR 60-1.010 Definitions

PURPOSE: This rule defines terms used in the rules which pertain to the administration and operations of the Motorcycle Safety Education Program.

(1) Commission – Missouri Highways and Transportation Commission created by article IV, section 29, of the *Missouri Constitution* which oversees the Missouri Department of Transportation.

(2) Department – Missouri Department of Transportation.

(3) Division – Highway Safety and Traffic Division. A division within the department responsible for administering motorcycle rider training and safety program according to 7 CSR 60-1.010 through 7 CSR 60-1.040. A designee under contract with the commission and selected by the division may administer the program on the division's behalf.

(4) Entry-level course – A course of instruction in motorcycle operation designed to meet the training requirement to obtain a Class M driver's license or endorsement issued by the Missouri Department of Revenue.

(5) Instructor – An individual approved by the division to teach motorcycle operator training courses in Missouri.

(6) Minor – Any person aged fifteen and one-half (15 1/2) years (calculated as 15 years and 182 days) the first day of the course but less than eighteen (18) years old when the course is completed.

(7) Motorcycle rider training program – A training and safety program which provides knowledge, skills, and safety relating to the operation of motorcycles to all motorcyclists in this state. This program also provides public information regarding motorcycle safety including sharing the roadway with motorcycles.

(8) Motorcycle training school – An approved public or private entity contracted by the commission to provide motorcycle rider training on a regular basis. A motorcycle training school is not an agent, servant, or employee of the commission, department, or the state of Missouri.

(9) Non-license-waiver course – A course of instruction in motorcycle operation for experienced motorcyclists that is not an entry-level course.

(10) Range – The area of a training site where on-cycle training is conducted.

(11) Quality Assurance – A process to ensure compliance with state program requirements as set forth in 7 CSR 60-1.020 and promote continuous improvement of the program.

AUTHORITY: section 302.134, RSMo 2016. This rule originally filed as 11 CSR 60-1.010. Original rule filed March 20, 1996, effective Sept. 30, 1996. Amended: Filed Nov. 15, 2001, effective June 30, 2002. Moved to 7 CSR 60-1.010, effective Aug. 28, 2003. Amended: Filed Oct. 17, 2016, effective July 30, 2017. Rescinded and readopted: Filed Sept. 9, 2022.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 7 – MISSOURI DEPARTMENT OF TRANSPORTATION
Division 60 – Highway Safety and Traffic Division
Chapter 1 – Motorcycle Safety Education Program

PROPOSED RESCISSION

7 CSR 60-1.020 Program Sponsor. This rule outlined the standards for an approved motorcycle rider training program sponsor.

PURPOSE: This rule is being rescinded and readopted to update the Motorcycle Safety Education Program rules with current practices.

AUTHORITY: section 302.134, RSMo 2016. This rule originally filed as 11 CSR 60-1.020. Original rule filed March 20, 1996, effective Sept. 30, 1996. Moved to 7 CSR 60-1.020, effective Aug. 28, 2003. Amended: Filed Oct. 17, 2016, effective July 30, 2017. Rescinded: Filed Sept. 9, 2022.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 7 – MISSOURI DEPARTMENT OF TRANSPORTATION
Division 60 – Highway Safety and Traffic Division
Chapter 1 – Motorcycle Safety Education Program

PROPOSED RULE

7 CSR 60-1.020 Motorcycle Training School

PURPOSE: This rule sets forth the standards for an approved motorcycle training school.

(1) Motorcycle Training School – Eligibility. An entity seeking approval as an approved motorcycle training school shall –

(A) Submit a completed application on the form prescribed by the division;

(B) Provide a list of all individuals of the entity who must undergo and successfully pass a criminal history background check conducted by the division;

(C) Provide a list of all real property that will be used to meet the training site requirements and proof that the entity owns, or possesses written authorization by the owner to use, such real property;

(D) Provide a list of motorcycles, if any, that will be available for student use, including the year, make, model, and vehicle identification number (VIN) of each motorcycle;

(E) Provide a list of the division-approved courses the entity intends to offer and proof of ownership of, or authority to offer, each course; and

(F) Provide a list of instructors employed by, or contracted with, the entity.

(2) Training Site Requirements. A motorcycle training school must have a training site that includes:

(A) A range that –

1. Features a paved surface, including asphalt, concrete, or another all-weather surface of suitable traction in good condition;

2. Is large enough to safely accommodate all courses conducted by the motorcycle school;

3. Is reasonably free of incline;

4. Is free of vehicular and pedestrian traffic; and

5. Is reasonably free of surface hazards and obstacles;

(B) An appropriate first aid kit and at least one five-pound Class ABC fire extinguisher for use at the range;

(C) A classroom that –

1. Is not located in a private residence;

2. Is large enough to accommodate one seat per student and instructor(s);

3. Has a suitable seat and writing surface for each student; and

4. Has suitable audiovisual presentation equipment;

(D) A minimum of one (1) training motorcycle available for each student participating in the range session of the course that is –

1. Sufficiently maintained to be in safe operating condition; and

2. Intended by the manufacturer for street use; and

(E) A secure storage area to physically and environmentally protect training motorcycles and other course equipment.

(3) Quality Assurance Visits. At least one quality assurance visit (QAV) will be conducted at each of the motorcycle training schools each calendar year by the division. During the QAV, the division will ensure compliance with the Motorcycle Safety Education Program requirements set forth in 7 CSR 60-1.010 through 7 CSR 60-1.040.

(4) School Suspension – Notice and Hearing Requirements. If the division intends to deny an entity's application for approval as a motorcycle training school or suspend or revoke a previously approved motorcycle training school, notice and opportunity for a hearing must be given as provided by the Missouri Administrative Procedures Act as set forth in Chapter 536, RSMo. Any hearing or administrative or judicial review shall be a non-contested case. The term of any suspension must not exceed one (1) year and may be reduced by the division if the motorcycle training school has corrected the grounds for suspension.

AUTHORITY: section 302.134, RSMo 2016. This rule originally filed as 11 CSR 60-1.020. Original rule filed March 20, 1996, effective Sept. 30, 1996. Moved to 7 CSR 60-1.020, effective Aug. 28, 2003. Amended: Filed Oct. 17, 2016, effective July 30, 2017. Rescinded and readopted: Filed Sept. 9, 2022.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 7 – MISSOURI DEPARTMENT OF TRANSPORTATION
Division 60 – Highway Safety and Traffic Division
Chapter 1 – Motorcycle Safety Education Program

PROPOSED RESCISSION

7 CSR 60-1.030 Motorcycle Instructor. This rule outlined the standards for an approved motorcycle rider training program instructor.

PURPOSE: This rule is being rescinded and readopted to update the Motorcycle Safety Education Program with current practices.

AUTHORITY: section 302.134, RSMo 2016. This rule originally filed as 11 CSR 60-1.030. Original rule filed March 20, 1996, effective Sept. 30, 1996. Moved to 7 CSR 60-1.030, effective Aug. 28, 2003. Amended: Filed Oct. 17, 2016, effective July 30, 2017. Rescinded: Filed Sept. 9, 2022.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars ($500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 7 – MISSOURI DEPARTMENT OF TRANSPORTATION
Division 60 – Highway Safety and Traffic Division
Chapter 1 – Motorcycle Safety Education Program

PROPOSED RULE

7 CSR 60-1.030 Motorcycle Training School Instructor

PURPOSE: This rule sets forth the standards for an approved motorcycle training school instructor.

(1) Instructor Eligibility. To be eligible for approval as an instructor, an applicant must –

(A) Be at least eighteen (18) years old;

(B) Submit a completed application on the form prescribed by the division;

(C) Not have been convicted during the preceding three (3) years of three (3) or more moving violations as defined in section 302.010, RSMo, including violations that resulted in an accident;

(D) Undergo and successfully pass a criminal history background check conducted by the division;

(E) Not have been convicted during the preceding three (3) years of the offense of driving while intoxicated (DWI), in violation of section 577.010, RSMo; and

(F) The above requirements outlined in section (1) also apply to out-of-state instructor applicants.

(2) Motorcycle Rider Training Program Requirements. An approved Motorcycle Rider Training Program will include:

(A) Division-approved course curriculum;

(B) A student-to-instructor ratio for range instruction that does not exceed the ratio specified by the approved curriculum; and

(C) A separate motorcycle available for each student for two-wheeled motorcycle courses. No more than two (2) students may share a motorcycle for three- (3-) wheeled motorcycle courses.

(3) Curriculum Standards – Entry-Level Course. The curriculum for an entry-level course will –

(A) Be determined by the division to meet the *Model National Standards for Entry-Level Motorcycle Rider Training* (most-current issued version) distributed by the U.S. Department of Transportation, National Highway Traffic Safety Administration;

(B) Include a written examination to ensure students comprehend key concepts as identified in the approved curriculum; and

(C) Include a riding skills test to ensure students can perform the riding skills taught in the course according to the approved curriculum.

(4) Curriculum Standards – Non-License-Waiver Course. The curriculum for a course of instruction in motorcycle operation for a non-license-waiver course will be determined by the division.

(5) Instructor Suspension – Notice and Hearing Requirements. If the division intends to deny an applicant's approval as a motorcycle training school instructor or suspend or revoke a previously approved instructor application, notice and opportunity for a hearing must be given as provided by the Missouri Administrative Procedures Act as set forth in Chapter 536, RSMo. Any hearing or administrative or judicial review shall be a non-contested case. The term of any suspension must not exceed one (1) year and may be reduced by the division if the motorcycle training school has corrected the grounds for suspension.

AUTHORITY: section 302.134, RSMo 2016. This rule originally filed as 11 CSR 60-1.030. Original rule filed March 20, 1996, effective Sept. 30, 1996. Moved to 7 CSR 60-1.030, effective Aug. 28, 2003. Amended: Filed Oct. 17, 2016, effective July 30, 2017. Rescinded and readopted: Filed Sept. 9, 2022.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 7 – MISSOURI DEPARTMENT OF TRANSPORTATION
Division 60 – Highway Safety and Traffic Division
Chapter 1 – Motorcycle Safety Education Program

PROPOSED RESCISSION

7 CSR 60-1.040 Student Admission Requirements. This rule outlined the standards for admission into the motorcycle rider training program.

PURPOSE: This rule is being rescinded and readopted to update the Motorcycle Safety Education Program with current practices.

AUTHORITY: section 302.134, RSMo 2000. This rule originally filed as 11 CSR 60-1.040. Original rule filed March 20, 1996, effective Sept. 30, 1996. Amended: Filed Nov. 15, 2001, effective June 30, 2002. Moved to 7 CSR 60-1.040, effective Aug. 28, 2003. Rescinded: Filed Sept. 9, 2022.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 7 – MISSOURI DEPARTMENT OF TRANSPORTATION
Division 60 – Highway Safety and Traffic Division
Chapter 1 – Motorcycle Safety Education Program

PROPOSED RULE

7 CSR 60-1.040 Student Admission Requirements

PURPOSE: This rule sets forth the standards for student admission into the motorcycle training school.

(1) Student Requirements.

(A) Motorcycle entry-level training courses are open to any person who is at least fifteen and one-half (15 1/2) years old (calculated as 15 years and 182 days) on the day the course begins and has been issued a valid driver license, graduated driver license (GDL), or instruction permit.

(B) A prospective student younger than eighteen (18) years of age seeking admission to an authorized motorcycle training school must provide the motorcycle training school with a letter or form consenting to the student's participation as a student in the course and to receive medical treatment for any injury that may occur at the motorcycle training school executed by the student's parent or legal guardian. The signature of the parent or legal guardian on the consent form or letter must be notarized or provided by the parent or guardian at the training site.

(C) Prior to admitting an individual to an entry-level course, a motorcycle training school must inform the individual that –

1. A student whose riding performance creates an unmanageable danger on the range, as determined in the sole discretion of the instructor, will be removed from the course and is not entitled to additional attempts to successfully complete the riding skills test; and

2. Experienced rider courses are restricted to individuals with a current motorcycle Class M driver license or motorcycle endorsement. Each student must provide his/her own

motorcycle that meets the requirements of subsections (3)(A)–(E) of this rule, below.

(2) Verification of Course Completion.

(A) A motorcycle training school must issue a division-approved course completion certificate to students who successfully complete an entry-level course. The certificate must be signed by an instructor who taught the course or a designated representative of the motorcycle training school.

(B) A motorcycle school must issue a division-approved course completion certificate that is restricted to the operation of a three- (3-) wheeled motorcycle if the student-completed entry-level course is specific to the operation of a three- (3-) wheeled motorcycle.

(C) The division may issue a duplicate course completion certificate to a student to replace a lost certificate for up to three (3) calendar years from the date the course was completed. The duplicate certificate must bear the same certificate number and course completion date as the original certificate.

(D) A course completion certificate for an entry-level course may only be issued to a student who has successfully completed a written examination and riding skills test required by the approved course curriculum.

(3) Motorcycle Requirements.

(A) The lead course instructor must reject a motorcycle for use if it fails to meet the requirements of this section or if the motorcycle is unsafe for the rider, an instructor, another student, or any other person permitted in the training site as determined by the instructor in his/her sole discretion. A motorcycle may be deemed unsafe because of, but not limited to, modification, damage, lack of maintenance, nonstandard configuration, or any other substantial safety concern as determined by the instructor in his/her sole discretion.

(B) Any student-owned motorcycle used in training must –

1. Meet all the requirements for operation on public highways;

2. Have proof of minimum liability insurance, as required by section 303.190, RSMo, available for inspection by the lead course instructor;

3. Be intended by the manufacturer for street use; and

4. Meet all other requirements of this rule.

(C) A student may use a borrowed motorcycle if the student presents written permission from the motorcycle owner permitting the student to use the motorcycle to participate in the motorcycle training course and if the motorcycle meets all other requirements of this rule.

(D) A motorcycle with an engine displacement of over 500 cubic centimeters (cc) –

1. May not be used in the entry level course; and

2. May be used in the advanced course only if it meets all other requirements of this rule.

(E) No motorcycle training school may provide a motorcycle for student use in a non-license-waiver course. If a motorcycle training school provides a motorcycle for student use in the entry-level course, the motorcycle must –

1. Meet the safety requirements of subsection (3)(A) of this rule;

2. Not be prohibited by subsection (3)(D) of this rule;

3. Be inspected and insured; and

4. Be intended by the manufacturer for street use.

AUTHORITY: section 302.134, RSMo 2016. This rule originally filed as 11 CSR 60-1.040. Original rule filed March 20, 1996, effective Sept. 30, 1996. Amended: Filed Nov. 15, 2001, effective June 30, 2002. Moved to 7 CSR 60-1.040, effective Aug. 28, 2003. Rescinded and readopted: Filed Sept. 9, 2022.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 7 – MISSOURI DEPARTMENT OF TRANSPORTATION
Division 60 – Highway Safety and Traffic Division
Chapter 1 – Motorcycle Safety Education Program

PROPOSED RESCISSION

7 CSR 60-1.050 Verification of Course Completion. This rule outlined the standards for verification of completion in an approved motorcycle rider training program.

PURPOSE: This rule is being rescinded to update the Motorcycle Safety Education Program with current practices.

AUTHORITY: section 302.134, RSMo 2016. This rule originally filed as 11 CSR 60-1.050. Original rule filed March 20, 1996, effective Sept. 30, 1996. Amended: Filed Nov. 15, 2001, effective June 30, 2002. Moved to 7 CSR 60-1.050, effective Aug. 28, 2003. Amended: Filed Oct. 17, 2016, effective July 30, 2017. Rescinded: Filed Sept. 9, 2022.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 7 – MISSOURI DEPARTMENT OF TRANSPORTATION
Division 60 – Highway Safety and Traffic Division
Chapter 1 – Motorcycle Safety Education Program

PROPOSED RESCISSION

7 CSR 60-1.060 Approved Motorcycle Training Courses. This rule outlined the standards for an approved motorcycle rider training program.

PURPOSE: This rule is being rescinded to update the Motorcycle Safety Education Program with current practices.

AUTHORITY: section 302.134, RSMo 2016. This rule originally filed as 11 CSR 60-1.060. Original rule filed March 20, 1996, effective Sept. 30, 1996. Amended: Filed Nov. 15, 2001, effective June 30, 2002. Moved to 7 CSR 60-1.060, effective Aug. 28, 2003. Amended: Filed Oct. 17, 2016, effective July 30, 2017. Rescinded: Filed Sept. 9, 2022.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 7 – MISSOURI DEPARTMENT OF TRANSPORTATION
Division 60 – Highway Safety and Traffic Division
Chapter 1 – Motorcycle Safety Education Program

PROPOSED RESCISSION

7 CSR 60-1.070 Motorcycle Requirements. This rule outlined the standards for motorcycles used in an approved motorcycle rider training program.

PURPOSE: This rule is being rescinded to update the Motorcycle Safety Education Program with current practices.

AUTHORITY: section 302.134, RSMo Supp. 1999. This rule originally filed as 11 CSR 60-1.070. Original rule filed March 20, 1996, effective Sept. 30, 1996. Amended: Filed Nov. 22, 1999, effective May 30, 2000. Moved to 7 CSR 60-1.070, effective Aug. 28, 2003. Rescinded: Filed Sept. 9, 2022.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 7 – MISSOURI DEPARTMENT OF TRANSPORTATION
Division 60 – Highway Safety and Traffic Division
Chapter 1 – Motorcycle Safety Education Program

PROPOSED RESCISSION

7 CSR 60-1.080 Notice and Hearing Requirements. This rule outlined the notice and hearing requirements for an approved motorcycle rider training program sponsor.

PURPOSE: This rule is being rescinded to update the Motorcycle Safety Education Program with current practices.

AUTHORITY: section 302.134, RSMo Supp. 1995. This rule originally filed as 11 CSR 60-1.080. Original rule filed March 20, 1996, effective Sept. 30, 1996. Moved to 7 CSR 60-1.080, effective Aug. 28, 2003. Rescinded: Filed Sept. 9, 2022.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 7 – MISSOURI DEPARTMENT OF TRANSPORTATION
Division 60 – Highway Safety and Traffic Division
Chapter 1 – Motorcycle Safety Education Program

PROPOSED RESCISSION

7 CSR 60-1.090 Sponsor Suspension. This rule outlined the terms of suspension of a motorcycle rider training program sponsor.

PURPOSE: This rule is being rescinded to update the Motorcycle Safety Education Program with current practices.

AUTHORITY: section 302.134, RSMo Supp. 1995. This rule originally filed as 11 CSR 60-1.090. Original rule filed March 20, 1996, effective Sept. 30, 1996. Moved to 7 CSR 60-1.090, effective Aug. 28, 2003. Rescinded: Filed Sept. 9, 2022.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 7 – MISSOURI DEPARTMENT OF TRANSPORTATION
Division 60 – Highway Safety and Traffic Division
Chapter 1 – Motorcycle Safety Education Program

PROPOSED RESCISSION

7 CSR 60-1.100 Quality Assurance Visits. This rule outlined the rules for quality assurance visits for motorcycle rider training program sponsors and instructors.

PURPOSE: This rule is being rescinded to update the Motorcycle Safety Education Program with current practices.

AUTHORITY: section 302.134, RSMo 2000. This rule originally filed as 11 CSR 60-1.100. Original rule filed March 20, 1996, effective Sept. 30, 1996. Amended: Filed Nov. 15, 2001, effective June 30, 2002. Moved to 7 CSR 60-1.100, effective Aug. 28, 2003. Rescinded: Filed Sept. 9, 2022.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 7 – MISSOURI DEPARTMENT OF TRANSPORTATION
Division 60 – Highway Safety and Traffic Division
Chapter 1 – Motorcycle Safety Education Program

PROPOSED RESCISSION

7 CSR 60-1.110 Sponsor Pre-Suspension Notification. This rule outlined when a sponsor should notify the division of impending legal action.

PURPOSE: This rule is being rescinded to update the Motorcycle Safety Education Program with current practices.

AUTHORITY: section 302.134, RSMo Supp. 1995. This rule originally filed as 11 CSR 60-1.110. Original rule filed March 20, 1996, effective Sept. 30, 1996. Moved to 7 CSR 60-1.110, effective Aug. 28, 2003. Rescinded: Filed Sept. 9, 2022.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 19 – DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 20 – Division of Community and Public Health
Chapter 60 – Maternal and Neonatal Care

PROPOSED AMENDMENT

19 CSR 20-60.010 Levels of Maternal and Neonatal Care Designations. The department is amending sections (2), (4), (5), and (6).

PURPOSE: This amendment updates the method through which birthing facilities submit their LOCATe assessment to the department and replaces ACOG with the Joint Commission as an entity who may verify the results of the LOCATe assessment.

(2) *[By January 31, 2019, each birthing facility shall complete the CDC Maternal and Neonatal Levels of Care Assessment Tool (LOCATe) based upon the assessment of the facility as of December 31, 2018.]* Each birthing facility shall use **the electronic CDC Maternal and Neonatal Levels of Care Assessment Tool (**LOCATe**)** to *[re]*assess its designation as of December 31*[st]* preceding the due date of January 31 every three (3) years. *[The completed assessment shall be sent to the department at the address listed below by January 31 every three (3) years.]* If at any time*[,]* the birthing facility has any change to its maternal or neonatal care capability that will affect its maternal or neonatal care designation as determined by LOCATe, then the birthing facility shall use LOCATe to reassess its designation *[and send a completed assessment to the department at the address listed below]* within thirty (30) days of the change. **If a facility submits an updated survey due to a change in designation, that will not change the schedule of the report required every three (3) years.** The **electronic** LOCATe tool (version *[0.8.0]* **9.2**) is incorporated by reference in this rule as published by the Centers for Disease Control and Prevention and available at *[*www.health.mo.gov*]* **http://health.mo.gov/locate**. This rule does not incorporate any subsequent amendments or additions. *[Completed assessments shall be sent to the Department of Health and Senior Services, Division of Community and Public Health, PO Box 570, Jefferson City, MO 65102-0570.]*

(4) Each birthing facility shall have the results of their LOCATe assessment and level of care designations verified by the department, AAP, or *[ACOG]* **the Joint Commission** once every three (3) years. When submitting the LOCATe assessment every three (3) years, birthing facilities shall notify the department *[in writing]* **through the LOCATe survey** about how they will have their results verified. **The results of the verification shall be submitted electronically to the department through a link provided by the department once the LOCATe assessment has been submitted.**

(5) *[If a birthing facility chooses to have the results of their LOCATe standardized assessment and level of care designations verified by either AAP or ACOG, the verification shall be conducted utilizing criteria collected in LOCATe.]* Verification processes conducted by AAP or *[ACOG]* **the Joint Commission** may include criteria in addition to those included in LOCATe. Verification by the department will only include criteria collected in LOCATe.

(6) The department may initiate a review and monitor compliance with the provisions set forth in this rule at any time. The department will provide *[written]* **electronic** notification to a birthing facility if it finds that verification does not match the self-designated levels of care.

*AUTHORITY: section 192.006, RSMo 2016, and section 192.380, RSMo Supp. [2017] **2022**. Emergency rule filed Dec. 20, 2018, effective Dec. 30, 2018, expired June 27, 2019. Original rule filed Dec. 20, 2018, effective June 30, 2019. Amended: Filed Sept. 12, 2022.*

PUBLIC COST: This proposed amendment will not cost state

agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Department of Health and Senior Services, Attn: Daniel Bogle, PO Box 570, Jefferson City, MO 65102, or via email to Daniel.Bogle@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 19 – DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30 – Division of Regulation and Licensure
Chapter 1 – Controlled Substances

PROPOSED AMENDMENT

19 CSR 30-1.002 Schedules of Controlled Substances. The department is amending section (1).

PURPOSE: This amendment updates the Schedules of Controlled Substances to be consistent with 21 CFR Part 1308.

(1) Schedules of Controlled Substances.

(A) Schedule I shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the Drug Enforcement Administration (DEA) Controlled Substances Code Number set forth opposite it.

1. Opiates. Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:

A. Acetyl-alpha-methylfentanyl (N-(1-(1-methyl-2-phenethyl)-4-piperidinyl)-N-phenylacetamide)	9815
B. Acetylmethadol	9601
C. Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide)	9821
D. N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (Other names: acryl fentanyl, acryloylfentanyl)	9811
E. AH-7921(3,4-dichloro-N-[(1-dimethylamino) cyclohexylmethyl] benzamide)	9551
F. Allylprodine	9602
G. Alphacetylmethadol (except levoalphacetylmethadol also known as levo-alpha-acetylmethadol levothadyl acetate or LAAM)	9603
H. Alphameprodine	9604
I. Alphamethadol	9605
J. Alpha-methylfentanyl (N-1-(alphamethyl-beta-phenyl) ethyl-4-piperidyl) propionanilide; 1-(1-methyl-2-phenylethyl)-4 ((N-propanilido) piperidine)	9814
K. Alpha-methylthiofentanyl (N-(1-methyl-2-(2-thienyl) ethyl-4-piperidinyl)-N-phenylpropanamide)	9832
L. Benzethidine	9606
M. Betacetylmethadol	9607
N. Beta-hydroxyfentanyl (N-(1-(2-hydroxy-2-phenethyl)-4-piperidinyl)-N-phenylpropanamide)	9830
O. Beta-hydroxy-3-methylfentanyl (other name: N-(1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide)	9831
P. N-[1-[2-hydroxy-2-(thiophen-2-yl) ethyl]piperidin-4-yl]-N-phenylpropionamide (Other names: beta-hydroxythiofentanyl)	9836
Q. Betameprodine	9608
R. Betamethadol	9609
S. *beta*-Methyl fentanyl (N-phenyl-N-(1-(2-phenylpropyl)piperidin-4-yl) propionamide (Other name: β-methyl fentanyl)	9856
T. *beta'*-Phenyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N,3-diphenylpropanamide (Other names: β′-phenyl fentanyl; 3-phenylpropanoyl fentanyl)	9842
U. Betaprodine	9611
V. Clonitazene	9612
W. Crotonyl fentanyl ((E)-N-(1-phenethylpiperidin-4-yl)-N-phenylbut-2-enamide)	9844
X. N-(1-phenethylpiperidin-4-yl)-N-Phenylcyclopentanecarboxamide (Other name: cyclopentyl fentanyl)	9847
Y. Cyclopropyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecar-boxamide)	9845
Z. Dextromoramide	9613
AA. Diampromide	9615
BB. Diethylthiambutene	9616
CC. Difenoxin	9168
DD. Dimenoxadol	9617
EE. Dimepheptanol	9618
FF. Dimethylthiambutene	9619
GG. Dioxaphetyl butyrate	9621
HH. Dipipanone	9622
II. Ethylmethylthiambutene	9623
JJ. Etonitazene	9624
KK. Etoxeridine	9625
LL. Fentanyl carbamate (ethyl (1-phenethylpiperidin-4-yl) (phenyl)carbamate)	9851

*[TTT.]***UUU.** PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine) 9663
*[UUU.]***VVV.** Phenadoxone 9637
*[VVV.]***WWW.** Phenampromide 9638
*[WWW.]***XXX.** Phenomorphan 9647
*[XXX.]***YYY.** Phenoperidine 9641
*[YYY.]***ZZZ.** Phenyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylbenzamide (Other name: benzoyl fentanyl) 9841
*[ZZZ.]***AAAA.** Piritramide 9642
*[AAAA.]***BBBB.** Proheptazine 9643
*[BBBB.]***CCCC.** Properidine 9644
*[CCCC.]***DDDD.** Propiram 9649
*[DDDD]***EEEE.** Racemoramide 9645
*[EEEE.]***FFFF.** *N*-(1-phenethylpiperidin-4-yl)-*N*-phenyltetrahydrofuran-2-carboxamide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (Other name: tetrahydrofuranyl fentanyl) 9843
*[FFFF.]***GGGG.** Thiofentany (*N*-phenyl-*N*-(1-(2-thienyl)ethyl-4-piperidinyl)-propanamide 9835
*[GGGG.]***HHHH.** Thiofuranyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylthiophene-2-carboxamide (Other names: 2-thiofuranyl fentanyl; thiophene fentanyl) 9839
*[HHHH.]***IIII.** Tilidine 9750
*[IIII.]***JJJJ.** Trimeperidine 9646

2. Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

A. Acetorphine 9319
B. Acetyldihydrocodeine 9051
C. Benzylmorphine 9052
D. Codeine methylbromide 9070
E. Codeine-N-Oxide 9053
F. Cyprenorphine 9054
G. Desomorphine 9055
H. Dihydromorphine 9145
I. Drotebanol 9335
J. Etorphine (except hydrochloride salt) 9056
K. Heroin 9200
L. Hydromorphinol 9301
M. Methyldesorphine 9302
N. Methyldihydromorphine 9304
O. Morphine methylbromide 9305
P. Morphine methylsulfonate 9306
Q. Morphine-N-Oxide 9307
R. Myrophine 9308
S. Nicocodeine 9309
T. Nicomorphine 9312
U. Normorphine 9313
V. Pholcodine 9314
W. Thebacon 9315

3. Opiate Similar Synthetic Substances. Substances scheduled by the United States Drug Enforcement Administration as substances that share a pharmacological profile similar to fentanyl, morphine, and other synthetic opioids, unless specifically excepted or unless listed in another schedule. These substances are –

A. Butyryl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylbutyramide) 9822
B. U–47700 (3,4-Dichloro-*N*-[2-(dimethylamino) cyclohexyl]-*N*-methylbenzamide) 9547
C. N-(1-phenethylpiperidin-4-yl)-*N*-phenylpentanamide (Other name: valeryl fentanyl) 9840

4. Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation, which contains any quantity of the following hallucinogenic substances or which contains any of its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation (For purposes of paragraph (1)(A)4. of this rule only, the term isomer includes the optical, position, and geometric isomers.):

A. Alpha-ethyltryptamine 7249
Some trade or other names: etryptamine; Monase; alpha-ethyl-1H-indole-3-ethenamine; 3-(2-aminobutyl)indole; alpha-ET; and AET;
B. 4-bromo-2,5-dimethoxyamphetamine 7391
Some trade or other names: 4-bromo-2, 5- dimethoxy-a-methylphenethylamine; 4-bromo- 2, 5-DMA;
C. 4-bromo-2,5-dimethoxyphenethylamine 7392
D. 2,5-dimethoxyamphetamine 7396
Some trade or other names: 2,5-dimethoxy-amethylphenethylamine; 2,5-DMA;
E. 2,5-dimethoxy-4-ethylamphetamine 7399
Some trade or other names: DOET;
F. 2,5-dimethoxy-4-(n)-propylthiophenethylamine (other name: 2C-T-7) 7348
G. 2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine (2C-P) 7524
H. 2-(2,5-Dimethoxy-4-ethylphenyl) ethanamine (2C-E) 7509
I. 2-(2,5-Dimethoxy-4-methylphenyl) ethanamine (2C-D) 7508
J. 2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine (2C-N) 7521
K. 2-(2,5-Dimethoxyphenyl) ethanamine (2C-H) 7517
L. 2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine (2C-C) 7519
M. 2-(4-Ethylthio-2,5-dimethoxyphenyl) ethanamine (2C-T-2) 7385
N. 2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine (2C-I) 7518

O. 2-(4-Isopropylthio)-2,5-dimethoxyphenyl) ethanamine (2C-T-4) 7532
P. 4-methoxyamphetamine 7411
Some trade or other names: 4-methoxy-amethylphenethylamine; paramethoxyamphetamine; PMA;
Q. 5-methoxy-3,4-methylenedioxyamphetamine 7401
R. 4-methyl-2,5-dimethoxyamphetamine 7395
Some trade and other names: 4-methyl-2, 5- dimethoxy-a-methylphenethylamine; DOM; and STP;
S. 3,4-methylenedioxyamphetamine 7400
T. 3,4-methylenedioxymetham-phetamine(MDMA) 7405
U. 3,4-methylenedioxy-*N*-ethylamphetamine (also known as *N*-ethylalpha-methyl-3,4 (methylenedioxy) phenethylamine, *N*-ethyl MDA, MDE, and MDEA) 7404
V. N-hydroxy-3,4-methylenedioxyamphetamine (also known as *N*-hydroxy-alpha-methyl-3,4 (methylenedioxy) phenethylamine and *N*-hydroxy MDA) 7402
W. 3,4,5-trimethoxyamphetamine 7390
X. 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine 7431
Y. Alpha-methyltryptamine 7432
Z. Bufotenine 7433
Some trade and other names: 3-(b-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N, N-dimethyltryptamine; mappine;
AA. Diethyltryptamine 7434
Some trade and other names: N, N-Diethyltryptamine; DET;
BB. Dimethyltryptamine 7435
Some trade or other names: DMT;
CC. 5-methoxy-N,N-diisopropyltryptamine (other name: 5-MeODIPT) 7439
DD. Ibogaine 7260
Some trade and other names: 7-Ethyl- 6,6ß,7,8,9,10,12,13-octahydro-2-methoxy-6, 9-methano-5H-pyrido [1',2':1,2] azepino[5,4-b] indole; Tabernanthe iboga;
EE. Lysergic acid diethylamide 7315
FF. Marihuana 7360
Some trade or other names: marijuana;
GG. Mescaline 7381
HH. Parahexyl 7374
Some trade or other names: 3-Hexyl-1- hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl- 6H-dibenzo[b,d]pyran; Synhexyl;
II. Peyote 7415
Meaning all parts of the plant presently classified botanically as Lophophora williamsii Lemaire, whether growing or not; the seeds thereof; any extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or extracts;
JJ. N-ethyl-3-piperidyl benzilate 7482
KK. N-methyl-3-piperidyl benzilate 7484
LL. Psilocybin 7437
MM. Psilocyn 7438
NN. Tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis 7370 plant), as well as synthetic equivalents of the substances contained in the cannabis plant or in the resinous extractives of such plant, and/or synthetic substances, derivatives, and their isomers, or both, with similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following:
(I) 1 cis or trans tetrahydrocannabinol and their optical isomers;
(II) 6 cis or trans tetrahydrocannabinol and their optical isomers;
(III) 3,4 cis or trans tetrahydrocannabinol and its optical isomers; and
(IV) Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions are covered;
OO. Ethylamine analog of phencyclidine 7455
Some trade or other names: *N*-ethyl-1- phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine, *N*-(1-phenylcyclohexyl)-ethylamine, cyclohexamine, PCE;
PP. Pyrrolidine analog of phencyclidine 7458
Some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine PCPy, PHP;
QQ. Thiophene analog of phencyclidine 7470
Some trade or other names: 1-(1-(2-thienyl)- cyclohexyl)-piperidine, 2-thienyl analog of phencyclidine, TPCP, TCP;
RR. 1-(1-(2-thienyl)cyclohexyl) pyrrolidine 7473
Some other names: TCPy;
SS. Salvia divinorum
TT. Salvinorin A
UU. 3-Fluoromethcathinone 1233
VV. 4-Fluoromethcathinone 1238
WW. Mephedrone, or 4-methylmethcathinone 1248
XX. Methylenedioxy-pyrovalerone, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone 7535
YY. Methylone, or 3,4-Methylenedioxy-methcathinone 7540
ZZ. Quinolin-8-yl 1-pentyl-1Hindole-3-carboxylate (PB-22; QUPIC) 7222
AAA. Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (5-fluoro-PB-22; 5F-PB-22) 7225
BBB. *N*-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1Hindazole-3-carboxamide (AB-FUBINACA) 7012
CCC. N-(1-amino-3, 3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (ADB-PINACA) 7035

DDD. (1-pentyl-1H-indol-3-yl) (2,2,3,3-tetramethylcyclopropyl) methanone (Other names: UR-144, 1-pentyl-3-(2,2,3,3-tetramethylcyclopropoyl)indole) 7144

EEE. [1-(5-fluoro-pentyl)-1Hindol-3-yl](2,2,3,3-tetramethylcyclopropyl) methanone (Other names: 5-fluoro-UR-144, 5-F-UR-144, XLR11, 1-(5-fluoropentyl)-3-(2,2,3,3-tetramethylcyclopropoyl)indole) 7011

FFF. N-(1-adamantyl)-1-pentyl-1Hindazole-3-carboxamide (Other names: APINACA, AKB48) 7048

GGG. 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (Other names: 251-NBOMe; 2C-I-NBOMe; 25I; Cimbi-5) 7538

HHH. 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (Other names: 25C-NBOMe; 2C-C-NBOMe; 25C; Cimbi-82) 7537

III. 2-(4-bromo-2,5-dimethoxyphenyl)-*N*-(2-methoxybenzyl)ethanamine (Other names: 25B-NBOMe; 2C-B-NBOMe; 25B; Cimbi-36) 7536

JJJ. 4-methyl-N-ethylcathinone (Other names: 4-MEC; 2-(ethylamino)-1-(4-methylphenyl)propan-1-one) 1249

KKK. 4-methyl-alphapyrrolidinopropiophenone, (Other names: 4-MePPP; MePPP; 4-methyl-α-pyrrolidinopropiophenone; 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)-propan-1-one) 7498

LLL. *alpha*pyrrolidinopentiophenone (Other names: α-PVP; α-pyrrolidinovalerophenone; 1-phenyl-2-(pyrrolidin-1-yl)pentan-1-one) 7545

MMM. Butylone (Other names: bk-MBDB; 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one) 7541

NNN. Pentedrone (Other names: α-methylaminovalerophenone; 2-(methylamino)-1-phenylpentan-1-one) 1246

OOO. Pentylone (Other names: bk-MBDP; 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one) 7542

PPP. Naphyrone (Other names: naphthylpyrovalerone; 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one) 1258

QQQ. *alpha*-pyrrolidinobutiophenone (Other names: α-PBP; 1-phenyl-2-(pyrrolidin-1-yl)butan-1-one) 7546

RRR. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide (Other names: AB-CHMINACA) 7031

SSS. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1Hindazole-3-carboxamide (Other names: AB-PINACA) 7023

TTT. [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone (Other names: THJ-2201) 7024

UUU. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide (Other names: MAB-CHMINACA; ADB-CHMINACA) 7032

VVV. methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate (Other names: 5F–ADB; 5F–MDMB–PINACA) 7034

WWW. methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate (Other names: 5F–AMB) 7033

XXX. N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide (Other names: 5F–APINACA, 5F–AKB48) 7049

YYY. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (Other names: ADB–FUBINACA) 7010

ZZZ. methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate (Other names: MDMB–CHMICA, MMB–CHMINACA) 7042

AAAA. methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate (Other names: MDMB–FUBINACA) 7020

BBBB. methyl 2-(1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamido)-3-methylbutanoate (Other names: FUB–AMB, MMB–FUBINACA, AMB–FUBINACA) (7021)

CCCC. 1-(1,3-benzodioxol-5-yl)-2-(ethylamino) propan-1-one (ethylone) 7547

DDDD. Naphthalen-1-yl 1-(5-fluoropentyl)-1*H*-indole-3-carboxylate (Other names: NM2201; CBL2201) 7221

EEEE. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1*H*-indazole-3-carboxamide (Other name: 5F-AB-PINACA) 7025

FFFF. 1-(4-cyanobutyl)-*N*-(2-phenylpropan-2-yl)-1*H*-indazole-3-carboxamide (Other names: 4-CN-CUMYLBUTINACA; 4-cyano-CUMYL-BUTINACA; 4-CN-CUMYLBINACA; CUMYL-4CNBINACA; SGT-78) 7089

GGGG. methyl 2-(1-(cyclohexylmethyl)-1*H*-indole-3-carboxamido)-3-methylbutanoate (Other names: MMB-CHMICA; AMB-CHMICA) 7044

HHHH. 1-(5-fluoropentyl)-*N*-(2-phenylpropan-2-yl)-1*H*-pyrrolo[2,3-b] pyridine-3-carboxamide (Other name: 5F-CUMYL-P7AICA) 7085

IIII. N-ethylpentylone (Other names: ephylone, 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one) 7543

JJJJ. methyl 2-(1-(4-fluorobutyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate (4F–MDMB–BINACA, 4F–MDMB–BUTINACA) 7043

KKKK. 1-(4-methoxyphenyl)-N-methylpropan-2-amine (Other names: *para*-methoxymethamphetamine, PMMA) 1245

LLLL. ethyl 2-(1-(5-fluoropentyl)-1*H*-indazole-3-carboxamido)-3,3-dimethylbutanoate (other name: 5F-EDMB-PINACA) 7036

MMMM. methyl 2-(1-(5-fluoropentyl)-1*H*-indole-3-carboxamido)-3,3-Dimethylbutanoate (other names: 5F-MDMB-PICA; 5F-MDMB-2201) 7041

NNNN. N-(adamantan-1-yl)-1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamide (other names: FUB-AKB48; FUB-APINACA; AKB48 N-(4-FLUOROBENZYL)) 7047

OOOO. 1-(5-fluoropentyl)-*N*-(2-phenylpropan-2-yl)-1*H*-indazole-3-carboxamide (other names: 5F-CUMYL-PINACA; SGT-25) 7083

PPPP. (1-(4-fluorobenzyl)-1*H*-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl) methanone (other name: FUB-144) 7014

QQQQ. *N*-Ethylhexedrone (Other names: α-ethylaminohexanophenone; 2-(ethylamino) -1-phenylhexan-1-one) 7246

RRRR. *alpha*-Pyrrolidinohexanophenone (Othernames:α-PHP;α-pyrrolidinohexanophenone; 1-phenyl-2-(pyrrolidin-1-yl)hexan-1-one) 7544

SSSS. 4-Methyl-*alpha*-ethylaminopentiophenone (Other names: 4-MEAP; 2-(ethylamino)-1 -(4-methylphenyl)pentan-1-one) 7245

TTTT. 4′-Methyl-*alpha*-pyrrolidinohexiophenone (Other names: MPHP; 4'-methyl-*alpha*-pyrrolidinohexanophenone; 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one) 7446

UUUU. *alpha*-Pyrrolidinoheptaphenone (Other names: PV8; 1-phenyl-2-(pyrrolidin-1-yl)heptan-1-one) 7548

VVVV. 4′-Chloro-*alpha*-pyrrolidinovalerophenone (Other names: 4-chloro-α-PVP; 4'-chloro-α-pyrrolidinopentiophenone; 1-(4-chlorophenyl)-2-(pyrrolidin-1-yl) pentan-1-one) 7443

WWWW. 2-(ethylamino)-2-(3-methoxyphenyl)cyclohexan-1-one (methoxetamine, MXE) 7286

*[LLLL.]***XXXX.** Synthetic cannabinoids: Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, or which contains their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(I) Any compound structurally derived from 3-(1-naphthoyl)indole or 1Hindol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to

any extent, whether or not substituted in the naphthyl ring to any extent. Including, but not limited to:

(a) AM2201, or 1-(5-fluoropentyl)-3-(1-naphthoyl)indole 7201
(b) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole
(c) JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole
(d) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole 7118
(e) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole 7019
(f) JWH-073, or 1-butyl-3-(1-naphthoyl)indole 7173
(g) JWH-081, or 1-pentyl-3-(4-methoxy-1-naphthoyl)indole 7081
(h) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole
(i) JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole 7122
(j) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole
(k) JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole 7200
(l) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole
(m) JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole 7398

(II) Any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(*N*-methyl-2- piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any extent;

(III) Any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(*N*-methyl-2- piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl ring to any extent;

(IV) Any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(*N*-methyl-2- piperidinyl) methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any extent. Including, but not limited to:

(a) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole
(b) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole 7203
(c) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole 6250
(d) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole
(e) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole 7008

(V) Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(*N*-methyl-2-piperidinyl) methyl or 2-(4-morpholinyl)ethyl group, whether or not substituted in the cyclohexyl ring to any extent. Including, but not limited to:

(a) CP 47,497 & homologues, or 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol), where side chain n=5, and homologues where side chain n-4, 6, or 7 7297, 7298

(VI) Any compound containing a 3- (benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent. Including, but not limited to:

(a) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole 7694
(b) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole (SR-19 and RCS-4) 7104

(VII) CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin- 1-yl] acetate;

(VIII) HU-210, or (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c] chromen-1-ol;

(IX) HU-211, or Dexanabinol,(6aS,10aS)-9-(hydroxymethyl)- 6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

(X) Dimethylheptylpyran, or DMHP.

5. Depressants. Unless specifically excepted or unless listed in another schedule, any material compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

A. Gamma-hydroxybutyric acid and other names GHB; gamma-hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutonic acid; sodium oxybate; sodium oxybutryrate 2010
B. Mecloqualone 2572
C. Methaqualone 2565

6. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

A. Aminorex 1585
Some trade or other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; 4,5-dihydro-5-phenyl-2-oxazolamine;

B. *N*-benzylpiperazine (some other names: BZP, 1-benzylpiperzaine) 7493
C. Cathinone (Some trade or other names: 2-amino-1-phenyl-1-propanone, alphaaminopropiophenone, 2-aminopropiophenone and norephedrone) 1235
D. 4,4′-Dimethylaminorex (4,4′-DMAR; 4,5-dihydro-4-methyl-5-(4-methylphenyl)-2-oxazolamine; 4-methyl-5-(4-methylphenyl)-4,5-dihydro-1,3-oxazol-2-amine) 1595
E. Fenethylline 1503
F. Methcathinone 1237
Some trade or other names: 2-(methylamino)-propiophenone; alpha-(methylamino) propiophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-*N*-methylaminopropiophenone; monomethylpropion; ephedrone; *N*-methylcathinone; methylcathinine; AL-464; AL-422; AL-463 and URI 432;
G. 4-methoxymethcathinone
H. cis-4-methylaminorex (cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine) 1590
I. 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP
J. N-ethylamphetamine 1475
K. N,N-dimethylamphetamine 1480
(some other names: *N*,*N*-alpha-trimethylbenzeneethanamine; *N*,*N*-alpha-trimethylphenethylamine)

7. A temporary listing of substances subject to emergency scheduling under federal law shall include any material, compound, mixture, or preparation which contains any quantity of the following substances:

A. Fentanyl-related substances, their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers. 9850
(I) Fentanyl-related substance means any substance not otherwise listed under another Administration Controlled Substance Code Number, and for which no exemption or approval is in effect under section 505 of the Federal Food, Drug, and Cosmetic Act 21 U.S.C. 355, that is structurally related to fentanyl by one (1) or more of the following modifications:
(a) Replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;
(b) Substitution in or on the phenethyl group with alkyl, alkenyl, alkoxyl, hydroxyl, halo, haloalkyl, amino, or nitro groups;
(c) Substitution in or on the piperidine ring with alkyl, alkenyl, alkoxyl, ester, ether, hydroxyl, halo, haloalkyl, amino, or nitro groups;
(d) Replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; and/or
(e) Replacement of the *N*-propionyl group by another acyl group.

[B. ethyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts, and salts of isomers (trivial name: 5F-EDMB-PINACA) 7036
C. methyl 2-(1-(5-fluoropentyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts, and salts of isomers (trivial name: 5F-MDMB-PICA) 7041
D. N-(adamantan-1-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (trivial names: FUB-AKB48; FUB-APINACA; AKB48 N-(4-FLUOROBENZYL)) 7047
E. 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (trivial names: 5F-CUMYL-PINACA; SGT-25) 7083
F. (1-(4-fluorobenzyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl) methanone, its optical, positional, and geometric isomers, salts, and salts of isomers (trivial name: FUB-144) 7014
G. N-Ethylhexedrone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other name: 2-(ethylamino)-1-phenylhexan-1-one) 7246
H. alpha-Pyrrolidinohexanophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: α-PHP; alpha-pyrrolidinohexiophenone; 1-phenyl-2-(pyrrolidin-1-yl)hexan-1-one) 7544
I. 4-Methyl-alpha-ethylaminopentiophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 4-MEAP; 2-(ethylamino)-1-(4-methylphenyl)pentan-1-one) 7245
J. 4'-Methyl-alpha-pyrrolidinohexiophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: MPHP; 4'-methyl-alpha-pyrrolidinohexanophenone; 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one) 7446

K. alpha-Pyrrolidinohepta-phenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: PV8; 1-phenyl-2-(pyrrolidin-1-yl)heptan-1-one) 7548

L. 4'-Chloro-alpha-pyrrolidinovalerophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 4-chloro-α-PVP; 4'-chloro-alpha-pyrrolidinopentiophenone; 1-(4-chlorophenyl)-2-(pyrrolidin-1-yl) pentan-1-one) 7443

M. N,N-diethyl-2-(2-(4 isopropoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (Other names: isotonitazene; N,N-diethyl-2-[[4- (1-methylethoxy) phenyl]methyl]-5-nitro-1H-benzimidazole-1-ethanamine) 9614]

*[N.]***B.** 1-(1-(1-(4-bromophenyl) ethyl)piperidin-4-yl)-1, 3-dihydro-2*H*-benzo[*d*]imidazol-2-one, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (Other names: brorphine; 1-[1-[1-(4-bromophenyl)ethyl]-4-piperidinyl]-1,3-dihydro-2H-benzimidazol-2-one) 9098

C. 2-(2-(4-butoxybenzyl)-5-nitro-1*H*-benzimidazol-1-yl)-*N*, *N*-diethylethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters and ethers (Other name: Butonitazene) 9751

D. 2-(2-(4-ethoxybenzyl)-1*H*-benzimidazol-1-yl)-*N*, *N*-diethylethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters and ethers (Other names: Etodesnitazene; etazene) 9765

E. *N*, *N*-diethyl-2-(2-(4-fluorobenzyl)-5-nitro-1*H*-benzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters and ethers (Other name: Flunitazene) 9756

F. *N*,*N*-diethyl-2-(2-(4-methoxybenzyl)-1*H*-benzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters and ethers (Other name: Metodesnitazene) 9764

G. *N*, *N*-diethyl-2-(2-(4-methoxybenzyl)-5-nitro-1*H*-benzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters and ethers (Other name: Metonitazene) 9757

H. 2-(4-ethoxybenzyl)-5-nitro-1-(2-(pyrrolidin-1-yl)ethyl) -1H-benzimidazole, its isomers, esters, ethers, salts, and salts of isomers, esters and ethers (Other names: N-pyrrolidino etonitazene; etonitazepyne) 9758

I. *N*, *N*-diethyl-2-(5-nitro-2-(4-propoxybenzyl) -1*H*-benzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters and ethers (Other name: Protonitazene) 9759

8. Khat, to include all parts of the plant presently classified botanically as catha edulis, whether growing or not; the seeds thereof; any extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seed, or extracts. 7032

(D) Schedule IV shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this subsection. Each drug or substance has been assigned the DEA Controlled Substances Code Number set forth opposite it.

1. Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs or any salts thereof:

A. Not more than one milligram (1 mg) of difenoxin (DEA Drug Code No. 9168) and not less than twenty-five micrograms (25 mcg) of atropine sulfate per dosage unit 9167

B. Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane) 9278

C. 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl) cyclohexanol, its salts, optical and geometric isomers, and salts of these isomers (including tramadol) 9752

D. Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs or salts thereof, which shall include one (1) or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

(I) Not more than two hundred milligrams (200 mg) of codeine per one hundred milliliters (100 mL) or per one hundred grams (100 gm);

(II) Not more than one hundred milligrams (100 mg) of dihydrocodeine per one hundred milliliters (100 mL) or per one hundred grams (100 gm); or

(III) Not more than one hundred milligrams (100 mg) of ethylmorphine per one hundred milliliters (100 mL) or per one hundred grams (100 gm).

2. Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

A. Alfaxalone 2731
B. Alprazolam 2882
C. Barbital 2145
D. Brexanolone 2400
E. Bromazepam 2748
F. Camazepam 2749
G. Carisoprodol 8192
H. Chloral betaine 2460
I. Chloral hydrate 2465
J. Chlordiazepoxide 2744
K. Clobazam 2751
L. Clonazepam 2737

M. Clorazepate 2768
N. Clotiazepam 2752
O. Cloxazolam 2753
P. Daridorexant 2410
*[P.]**Q.*** Delorazepam 2754
*[Q.]***R.** Diazepam 2765
*[R.]***S.** Dichloralphenazone 2467
*[S.]***T.** Estazolam 2756
*[T.]***U.** Ethchlorvynol 2540
*[U.]***V.** Ethinamate 2545
*[V.]***W.** Ethyl loflazepate 2758
*[W.]***X.** Fludiazepam 2759
*[X.]***Y.** Flunitrazepam 2763
*[Y.]***Z.** Flurazepam 2767
*[Z.]***AA.** Fospropofol 2138
*[AA.]***BB.** Halazepam 2762
*[BB.]***CC.** Haloxazolam 2771
*[CC.]***DD.** Ketazolam 2772
*[DD.]***EE.** Lemborexant 2245
*[EE.]***FF.** Loprazolam 2773
*[FF.]***GG.** Lorazepam 2885
*[GG.]***HH.** Lormetazepam 2774
*[HH.]***II.** Mebutamate 2800
*[II.]***JJ.** Medazepam 2836
*[JJ.]***KK.** Meprobamate 2820
*[KK.]***LL.** Methohexital 2264
*[LL.]***MM.** Methylphenobarbital (Mephobarbital) 2250
*[MM.]***NN.** Midazolam 2884
*[NN.]***OO.** Nimetazepam 2837
*[OO.]***PP.** Nitrazepam 2834
*[PP.]***QQ.** Nordiazepam 2838
*[QQ.]***RR.** Oxazepam 2835
*[RR.]***SS.** Oxazolam 2839
*[SS.]***TT.** Paraldehyde 2585
*[TT.]***UU.** Petrichloral 2591
*[UU.]***VV.** Phenobarbital 2285
*[VV.]***WW.** Pinazepam 2883
*[WW.]***XX.** Prazepam 2764
*[XX.]***YY.** Quazepam 2881
*[YY.]***ZZ.** Remimazolam 2846
*[ZZ.]***AAA.** Suvorexant 2223
*[AAA.]***BBB.** Temazepam 2925
*[BBB.]***CCC.** Tetrazepam 2886
*[CCC.]***DDD.** Triazolam 2887
*[DDD.]***EEE.** Zaleplon 2781
*[EEE.]***FFF.** Zolpidem 2783
*[FFF.]***GGG.** Zopiclone 2784

3. Fenfluramine. Any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible:

A. Fenfluramine 1670

4. Lorcaserin. Any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible:

A. Lorcaserin 1625

5. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

A. Cathine ((+)-norpseudoephedrine) 1230
B. Diethylpropion 1610
C. Fencamfamin 1760
D. Fenproporex 1575
E. Mazindol 1605
F. Mefenorex 1580
G. Modafinil 1680
H. Pemoline (including organometallic complexes and chelates thereof) 1530
I. Phentermine 1640
J. Pipradrol 1750
K. Serdexmethylphenidate 1729
L. Sibutramine 1675
M. Solriamfetol (2-amino-3-phenylpropyl carbamate; benzenepropanol, beta-amino-, carbamate (ester)) 1650
N. SPA (-)-1-dimethylamino-1,2-diphenylethane 1635

6. Other substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts:

A. Pentazocine 9709
B. Butorphanol (including its optical isomers) 9720
C. Eluxadoline (5-[[[(*2S*)-2-amino-3-[4-aminocarbonyl)-2,6-dimethylphenyl]-1-oxopropyl] [(*1S*)-1-(4-phenyl-1 *H*-imidazol-2-yl)ethyl]amino]methyl]-2-methoxybenzoic acid) (including its optical isomers) and its salts, isomers, and salts of isomers 9725

7. Ephedrine. Any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system including their salts, isomers, and salts of isomers:

A. Ephedrine or its salts, optical isomers, or salts of optical isomers as the only active medicinal ingredient or contains ephedrine or its salts, optical isomers, or salts of optical isomers and therapeutically insignificant quantities of another active medicinal ingredient.

(E) Schedule V shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this subsection.

1. Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as follows, which shall include one (1) or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

A. Not more than two hundred milligrams (200 mg) of codeine per one hundred milliliters (100 mL) or per one hundred grams (100 gm);

B. Not more than one hundred milligrams (100 mg) of dihydrocodeine per one hundred milliliters (100 mL) or per one hundred grams (100 gm);

C. Not more than one hundred milligrams (100 mg) of ethylmorphine per one hundred milliliters (100 mL) or per one hundred grams (100 gm);

D. Not more than two and five-tenths milligrams (2.5 mg) of diphenoxylate and not less than twenty-five

micrograms (25 mcg) of atropine sulfate per dosage unit;

E. Not more than one hundred milligrams (100 mg) of opium per one hundred milliliters (100 mL) or per one hundred grams (100 gm); and

F. Not more than five-tenths milligram (0.5 mg) of difenoxin (DEA Drug Code No. 9168) and not less than twenty-five micrograms (25 mcg) of atropine sulfate per dosage unit.

2. Stimulants. Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous systemincluding its salts, isomers, and salts of isomers:

A. Pyrovalerone 1485

3. Any compound, mixture, or preparation containing any detectable quantity of pseudoephedrine or its salts or optical isomers, or salts of optical isomers or any compound, mixture, or preparation containing any detectable quantity of ephedrine or its salts or optical isomers, or salts of optical isomers if the drug preparations are starch-based solid dose forms, if such preparations are sold over the counter without a prescription. The following drug preparations containing ephedrine and pseudoephedrine are not scheduled controlled substances:

A. Drug preparations in liquid form; **and**

B. Drug preparations that require a prescription in order to be dispensed.

4. Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts:

A. Ezogabine [N-[2-amino-4(4-fluorobenzylamino)-phenyl]-carbamic acid ethyl ester] 2779

B. Ganaxolone (3α-hydroxy-3β-methyl-5α-pregnan-20-one) 2401

*[B.]***C.** Lacosamide [(R)-2-acetoamido-*N*-benzyl-3-methoxy-propionamide] 2746

*[C.]***D.** Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid] 2782

*[D.]***E.** Brivaracetam ((25)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]butanamide) (also referred to as BRV; UCB-34714; Briviact) 2710

*[E.]***F.** Lasmiditan [2,4,6-trifluoro-*N*-(6-(1-methylpiperidine-4-carbonyl) pyridine-2-yl-benzamide] 2790

*[F.]***G.** Cenobamate ([(1R)-1-(2-chlorophenyl)-2-(tetrazol-2-yl)ethyl] carbamate; 2H-tetrazole-2-ethanol, alpha-(2-chlorophenyl)-, carbamate (ester), (alphaR)-; carbamic acid (R)-(+)-1-(2-chlorophenyl)-2-(2H-tetrazol-2-yl)ethyl ester) 2720

*AUTHORITY: section 195.015, RSMo Supp. **[2021] 2022**, and section 195.195, RSMo 2016. Material found in this rule previously filed as 19 CSR 30-1.010. Original rule filed April 14, 2000, effective Nov. 30, 2000. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed Sept. 12, 2022, effective Oct. 3, 2022, expires March 31, 2023. Amended: Filed Sept. 12, 2022.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Michael Boeger, Missouri Department of Health and Senior Services, Bureau of Narcotics and Dangerous Drugs, PO Box 570, Jefferson City, MO 65102, or via email at BNDD@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 19 – DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30 – Division of Regulation and Licensure
Chapter 20 – Hospitals

PROPOSED RULE

19 CSR 30-20.144 Standards and Guidelines for Essential Caregiver Program

PURPOSE: This rule establishes the standards and guidelines regarding the essential caregiver program established under section 191.2290, RSMo.

(1) As used in this rule, the following terms and phrases shall mean –

(A) Department shall mean the Department of Health and Senior Services;

(B) Essential caregiver shall mean a family member, friend, guardian, or other individual selected by a hospital patient who has not been adjudged incapacitated under Chapter 475, or the guardian or legal representative of the patient; and

(C) Hospital shall have the same meaning assigned to it in 19 CSR 30-20.011(9).

(2) Every hospital within Missouri shall develop an essential caregiver program which shall allow a patient who has not been adjudged incapacitated under Chapter 475, RSMo, a patient's guardian, or a patient's legally authorized representative to designate an essential caregiver for in-person contact with the patient in accordance with the provisions of section 191.2290, RSMo, and the standards and guidelines developed by the department under this rule.

(3) The essential caregiver program shall be operable during a state of emergency declared pursuant to Chapter 44, RSMo, relating to infectious, contagious, communicable, or dangerous diseases.

(4) The essential caregiver program established by the hospital shall –

(A) Allow at least two (2) individuals per patient to be designated as essential caregivers, although the hospital may limit the in-person contact to one (1) caregiver at a time. The caregiver shall not be required to have previously served in a caregiver capacity prior to the declared state of emergency;

(B) Include a reasonable in-person contact schedule to allow the essential caregiver to provide care to the patient for at

least four (4) hours each day, including evenings, weekends, and holidays, but shall allow for twenty-four- (24-) hour in-person care as necessary and appropriate for the well-being of the patient. The essential caregiver shall be permitted to leave and return during the scheduled hours or be replaced by another essential caregiver;

(C) Include procedures to enable physical contact between the patient and the essential caregiver. The hospital may not require the essential caregiver to undergo more stringent screening, testing, hygiene, personal protective equipment, and other infection control and prevention protocols than required of hospital employees; and

(D) Specify in its protocols the criteria that the hospital will use to determine that in-person contact by a particular essential caregiver is inconsistent with the patient's therapeutic care and treatment or is a safety risk to other patients or staff at the facility. Any limitations placed upon a particular essential caregiver shall be reviewed and documented every seven (7) days to determine if the limitations remain appropriate.

(5) A hospital shall inform, in writing, patients who have not been adjudged incapacitated under Chapter 475, RSMo, or guardians or legal representatives of patients, of the essential caregiver program and the process for designating an essential caregiver. Consistent with 42 CFR 482.12(h), a hospital shall inform each patient, or such patient's guardian or legal representative, where appropriate, of his or her visitation rights and right to access an essential caregiver in accordance with this rule.

(6) A hospital may restrict or revoke in-person contact by an essential caregiver who fails to follow required protocols and procedures established under section (4) of this rule.

(7) A hospital may request from the department a suspension of in-person contact by essential caregivers for a period not to exceed seven (7) days. A hospital may request from the department an extension of a suspension for more than seven (7) days, but such extension period shall not be for a period longer than seven (7) days at a time. Under the provisions of this section, a hospital shall not suspend in-person caregiver contact for more than fourteen (14) consecutive days in a twelve- (12-) month period or for more than forty-five (45) total days in a twelve- (12-) month period. Requests for a suspension of in-person contact of essential caregivers or an extension of a suspension under this section shall be submitted in writing to the department. Department determinations in response to suspension requests shall be in writing and both requests and determinations shall be made a part of the department's permanent records for the hospital.

(A) Requests for a suspension of in-person contact by essential caregivers shall contain at a minimum the following:

1. The specific reason or reasons why allowing in-person contact by essential caregivers poses a serious community health risk;

2. An explanation of the extenuating factors which may be relevant to granting a suspension to the particular requesting hospital; and

3. The length of time, not to exceed seven (7) days, the suspension is being requested.

(8) The department's written determination shall identify a suspension expiration date, if approved. The hospital may reapply for an extension of the suspension up to one (1) day prior to the expiration of the department's originally approved suspension. The department may deny a hospital's request to suspend in-person contact with essential caregivers if the department determines that such in-person contact does not pose a serious community health risk.

(9) The department shall suspend in-person contact by essential caregivers under this rule if it determines that doing so is required under federal law, including a determination that federal law requires a suspension of in-person contact by members of the patient's care team.

(10) The provisions of this rule shall not apply to those patients whose particular plan of therapeutic care and treatment necessitates restricted or otherwise limited visitation for reasons unrelated to the stated reasons for the declared state of emergency.

(11) The provisions of this rule shall not be construed to require an essential caregiver to provide necessary care to a patient and a hospital shall not require an essential caregiver to provide necessary care.

AUTHORITY: sections 191.2290 and 197.080, RSMo Supp. 2022. Emergency rule filed Sept. 15, 2022, effective Sept. 29, 2022, expires March 27, 2023. Original rule filed Sept. 15, 2022.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions three million one hundred fifty-three thousand four hundred twenty dollars ($3,153,420) in the aggregate.

PRIVATE COST: This proposed rule will cost private entities seventeen million seven hundred forty-three thousand eight hundred dollars ($17,743,800) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Steve Bollin at Steve.Bollin@health.mo.gov or Missouri Department of Health and Senior Services, PO Box 570, Jefferson City, Missouri 65102-0570. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC COST

I. Department Title: Department of Health and Senior Services
Division Title: Division 30—Division of Regulation and Licensure
Chapter Title: Chapter 20 — Hospitals

Rule Number and Title:	19 CSR 30-20.144 Standards and Guidelines for Essential Caregiver Program.
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
36 public hospitals	**Hospitals**	**Up to $3,153,420.00 for 6 month period that a state of emergency is in effect**

III. WORKSHEET

Cost for Private Hospitals to Adopt and Implement Essential Caregiver Programs

Action	Explanation	Cost	Cost for Private Hospitals
Policy and procedure development, implementation, and training	Policy and Procedure Develoment-1FTE*8hrs=$320 Implementation-1FTE*2hrs=80 Training-100 FTE*1hr=$3000	$3400	36 private hospitals * $3400 = $122,400
Visitation oversight of schedules, issues, screening, visitor education, etc.	1 FTE ($50,000)*30% increase workload	$15,000	36 public hospitals * $15,000 = $540,000.00
Gown, general mask, gloves per visitor per day	$3 per visitor (ECG) *180 days=$540	$540	Total of 2,113 licensed beds for public hospitals * $540 = $1,141,020

FTE to manage distribution of gowns, masks, gloves etc. to Essential Caregivers	.75 FTE = $37,500	$37,500	36 public hospitals * $37,500 = $1,350,000 Up to $3,153,420

IV. ASSUMPTIONS

While it is generally assumed that most hospitals have already built into their operational costs the cost of updating their individual institutional policies and procedures to reflect changes made in law, this fiscal note attempts to breakdown the individual cost of complying with §191.2290, RSMo and the proposed emergency rule. In order to comply with the provisions of the proposed emergency rule, hospitals will have to update their visitation policies to incorporate the essential caregiver guidelines and standards established by the proposed emergency rule.

This fiscal note includes the cost of public hospitals for developing and implementing policies and procedures for the essential caregiver proposed rule. If the public hospital has established these procedures under the proposed emergency rule, the cost for complying with this proposed rule can be reduced accordingly.

This fiscal note also assumes that a state of emergency under Chapter 44, RSMo, relating to infectious diseases, has been declared and is in place. The provisions of the rule are only operational during a declared state of emergency under Chapter 44. While public health emergency declarations are rare and the department does not expect one to be declared in the near future, this fiscal note assumes a declaration is in place for a six-month period. This estimate also assumes that each hospital is responsible for the provision of masks, gowns, gloves, testing, and other protective measures in order to enable physical contact between patients and essential caregivers.

This fiscal note also assumes that every licensed bed for each public hospital is at full capacity for the duration of the emergency declaration (six month period) and is being used to address the infectious disease for which the state of emergency was declared. The department licenses approximately 36 public hospitals. The total bed count for public hospitals is 2,113 beds.

FISCAL NOTE
PRIVATE COST

I. Department Title: Department of Health and Senior Services
Division Title: Division 30—Division of Regulation and Licensure
Chapter Title: Chapter 20 — Hospitals

Rule Number and Title:	19 CSR 30-20.144 Standards and Guidelines for Essential Caregiver Program.
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
129	**Private Hospitals**	$17,743,800 for 6 month period that a state of emergency is in effect

III. WORKSHEET

Cost for Private Hospitals to Adopt and Implement Essential Caregiver Programs

Action	Explanation	Cost	Cost for Private Hospitals
Policy and procedure development, implementation, and training	Policy and Procedure Develoment-1FTE*8hrs=$320 Implementation-1FTE*2hrs=80 Training-100 FTE*1hr=$3000	$3400	129 private hospitals * $3400 = $438,600.00
Visitation oversight of schedules, issues, screening, visitor education, etc.	1 FTE ($50,000)*30% increase workload	$15,000	129 private hospitals * $15,000 = $1,935.000.00

Gown, general mask, gloves per visitor per day	$3 per visitor (ECG) *180 days=$540	$540	Total of 19,505 licensed beds for private hospitals * $540 = $10,532,700
FTE to manage distribution of gowns, masks, gloves etc. to Essential Caregivers	.75 FTE = $37,500	$37,500	129 private hospitals * $37,500 = $4,837,500 Up to $17,743,800

IV. ASSUMPTIONS

While it is generally assumed that most hospitals have already built into their operational costs the cost of updating their individual institutional policies and procedures to reflect changes made in law, this fiscal note attempts to breakdown the individual cost of complying with §191.2290, RSMo and the proposed emergency rule. In order to comply with the provisions of the proposed emergency rule, hospitals will have to update their visitation policies to incorporate the essential caregiver guidelines and standards established by the proposed emergency rule.

This fiscal note includes the cost of private hospitals for developing and implementing policies and procedures for the essential caregiver proposed rule. If the private hospital has established these procedures under the proposed emergency rule, the cost for complying with this proposed rule can be reduced accordingly.

This fiscal note also assumes that a state of emergency under Chapter 44, RSMo, relating to infectious diseases, has been declared and is in place. While public health emergency declarations are rare and the department does not expect to have one declared in the near future, this fiscal note assumes a declaration is in place. A declaration of a state of emergency under Chapter 44 is necessary for the proposed rule to be operational. In addition, this estimate assumes that the state of emergency is in effect for a six-month period. Again, states of emergencies and public health emergencies are difficult to gauge, but a six-month time period was used.

This estimate also assumes that private hospitals are responsible for the provision of masks, gowns, gloves, testing, and other protective measures and/or equipment in order to enable physical contact between patients and essential caregivers.

This fiscal note also assumes that every licensed bed for each private hospital is at full capacity for the duration of the emergency declaration (six month period) and is being used to address the infectious disease for which the state of emergency was declared. A hospital, may, in actual practice utilize considerably less beds to address the state of emergency, but this fiscal note attempts to estimate a worst case scenario.

The department licenses approximately 129 private hospitals (hospitals not owned by state or local governments). The total bed count for private hospitals is 19,505 beds.

Title 19 – DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30 – Division of Regulation and Licensure
Chapter 35 – Hospices

PROPOSED AMENDMENT

19 CSR 30-35.010 Hospice Program Operations. The department is amending sections (1) and (2) and renumbering throughout.

PURPOSE: This amendment clarifies and updates definitions and the minimum requirements for the provision of hospice services by state-certified hospices. These proposed changes enhance the state minimum requirements to reflect current industry standards and federal minimum standards for hospice operations in order to enhance the health and safety of Missourians receiving state-certified hospice services.

(1) General Provisions.

(A) Definitions Relating to Hospice Care Agencies.

1. Attending physician – a person who –

A. Is licensed as a doctor of medicine or osteopathy in *[this state]* **Missouri** or a bordering state; or

B. Is recognized by Missouri as a nurse practitioner and who complies with the requirements of Chapter 335, RSMo, 20 CSR 2200-4.200, and 42 CFR 410.75; or

C. Is licensed as a physician assistant (PA) in Missouri and who complies with the requirements in Chapter 334, RSMo, 20 CSR 2150-7.135, and 42 CFR 410.74(c); and

D. Is identified by the patient, at the time *[s/he]* **the patient** elects to receive hospice care, as having the most significant role in the determination and delivery of the patient's medical care.

2. Automated dispensing system – a mechanical system that performs functions that may include, but are not limited to, storing, packaging or dispensing medications, and that collects, controls and maintains all transaction information.

3. Branch/multiple location – a location from which a hospice provides services within a portion of the total geographic area served by the parent hospice and the area served by the branch/multiple location is contiguous to or part of the area served by the parent hospice.

*[3.]***4.** Certified medication technician – a person who has completed the certified medication technician training program approved by the Department of Health and Senior Services **in compliance with the standards in 19 CSR 30-84.020**.

*[4.]***5.** Certified pharmacy technician – a person who is credentialed by a nationally recognized pharmacy technician credentialing authority.

*[5.]***6.** Contracted provider – individuals or entities who furnish services to hospice patients under contractual arrangements between the hospice and the contracted provider.

*[6.]***7.** Coordinating provider – any individual or agency which independently provides services to the patient in their place of residence.

8. Department – the Missouri Department of Health and Senior Services.

*[7.]***9.** Dietary counselor – an individual *[that is currently eligible to be licensed as a dietitian in Missouri or recognized as a nutritionist]* **who is a registered nurse, registered dietitian, nutritionist, or physician**.

*[8.]***10.** Direct employee – an individual paid directly by the hospice.

*[9.]***11.** Emergency medication supply – a limited number of prescription medications approved by the medical director and the pharmacist that may be administered to a patient in an emergency situation or for initial doses of a necessary medication when a pharmacist cannot provide medication services for a patient within a reasonable time based on the patient's clinical needs at the time.

*[10.]***12.** Employee – an employee of the hospice or an individual under contract who is appropriately trained and assigned to the hospice program. Employee also refers to a person volunteering for the hospice program.

*[11.]***13.** Family – broadly defined to include not only persons bound by biology or legalities but also those who function for the patient in a familial way.

*[12.]***14.** Homemaker – a *[home health]* **hospice** aide, volunteer or other individual who assists the patient/family with light housekeeping chores.

[13. Home health aide—a person who meets the training, attitude, and skill requirements specified in the Medicare home health program (42 CFR 484.36).]

*[14.]***15.** Hospice – a public agency or private organization or subdivision of either that –

A. Is primarily engaged in providing care to dying persons and their families; and

B. Meets the standards specified in 19 CSR 30-35.010 and in 19 CSR 30-35.030. If it is a hospice that provides inpatient care directly in a hospice facility, it must also meet the standards of 19 CSR 30-35.020 **and 19 CSR 30-35.030**.

*[15.]***16.** Hospice administrator – the employee designated by the governing body as responsible for the overall functioning of the hospice. **Hospice administrators appointed by the governing body after July 1, 2023, shall have the following:**

A. Be a licensed practical nurse, be a licensed registered nurse, or hold an undergraduate degree; and

B. Have at least one (1) year of administrative experience in a related healthcare field.

17. Hospice aide – a person who meets the training and skill requirements specified in the Medicare hospice program at 42 CFR 418.76 which is incorporated by reference as last amended on August 6, 2009, and published by the Office of the Federal Register, 732 N. Capitol Street, NW, Washington, DC 20401 or can be found at https://govinfo.gov. This rule does not incorporate any subsequent amendments or additions.

*[16.]***18.** Hospice patient – a person with a terminal illness or condition for whom the focus of care is on comfort and palliation rather than cure.

*[17.]***19.** Legal representative – a person who because of the patient's mental or physical incapacity is legally authorized in accordance with state law to make health care decisions on behalf of the dying person.

*[18.]***20.** Licensed practical nurse – a person licensed under Chapter 335, RSMo**,** to engage in the practice of practical nursing.

*[19.]***21.** Meal preparation – meals planned, offered**,** or served to all patients from prepared menus.

*[20.]***22.** Medical director – a person licensed in *[this state]* **Missouri** or a bordering state as a doctor of medicine or osteopathy who assumes overall responsibility for the medical component of the hospice's patient care program.

*[21.]***23.** Nutritionist – a person who has graduated from an accredited four- (4)-year college with a bachelor's degree including or supplemented by at least fifteen (15) semester hours in food and nutrition including at least one (1) course in diet therapy.

*[22.]***24.** Occupational therapist – a person who is *[registered]* **licensed** under Chapter *[334]* **324**, RSMo**,** as an occupational therapist and licensed to practice in Missouri.

*[23.]***25.** Occupational therapy assistant – a person who

has graduated from an occupational therapy assistant program accredited by the Accreditation Council for Occupational Therapy Education and licensed to practice in Missouri.

*[24.]***26.** Pharmacist – a person licensed as a pharmacist under Chapter 338, RSMo.

*[25.]***27.** Pharmacy technician – a person who is registered as a pharmacy technician under Chapter 338, RSMo.

*[26.]***28.** Physical therapist – a person who is licensed as a physical therapist under Chapter 334, RSMo.

*[27.]***29.** Physical therapy assistant – a person who has graduated from at least a two- (2)-year college level program accredited by the American Physical Therapy Association and licensed to practice in Missouri.

[28. Physician—a physician as defined in subparagraph (1)(A)1.A. of this rule.]

*[29.]***30.** Registered nurse – a person licensed under Chapter 335, RSMo**,** to engage in the practice of professional nursing.

*[30.]***31.** Registered nurse coordinator – a registered nurse, who is a direct employee, designated by the hospice to direct the overall provisions of clinical services.

[31. Satellite/branch office—a location or site from which a hospice provides services within a portion of the total geographic area served by the parent hospice and the area served by the satellite/branch office is contiguous to or part of the area served by the parent hospice.]

32. Skilled nursing – those services which are required by law to be provided by a registered nurse or a licensed practical nurse.

33. Snack – a single meal or item prepared on demand which does not include food items that produce grease-laden vapors.

34. Social worker – a person who *[has at least a bachelor's degree in social work from a school of social work accredited by the Council on Social Work Education.]* –

A. Has a Master of Social Work (MSW) degree from a school of social work accredited by the Council on Social Work Education and has one (1) year of social work experience in a health care setting; or

B. Has a baccalaureate degree in social work (BSW) from an institution accredited by the Council on Social Work Education; is supervised by an MSW as described in subparagraph (1)(A)34.A. of this rule and has one (1) year of social work experience in a health care setting; or

C. Has a baccalaureate degree from a school of social work accredited by the Council on Social Work Education and is employed by the hospice before December 2, 2008, and therefore is not required to be supervised by an MSW.

35. Speech language pathologist – a person who is licensed under Chapter 345, RSMo**,** as a speech *[therapist]* **language pathologist**.

36. Spiritual counselor – a person who *[is ordained, commissioned or credentialed according to the practices of an organized religious group and has completed, or will complete by August 1, 2003, one unit of Clinical Pastoral Education (CPE); or has a minimum of a bachelor's degree]* **has education** with emphasis in counseling or related subjects and has, within ninety (90) days of hire, completed specific training to include*[:]* common spiritual issues in death and dying*[;]***,** belief systems of comparative religions related to death and dying*[;]***,** spiritual assessment skills*[;]***,** individualizing care to patient beliefs*[;]***,** and varied spiritual practices/rituals.

37. Standing order – An order by an authorized prescriber that can be implemented by other health care professionals when predetermined criteria are met as per 19 CSR 30-35.010(2)(E)3.–(2)(E)4.A., B., and C.

(C) Consent for Hospice Care.

1. A patient who wishes to receive hospice care, shall sign a consent form for hospice services.

2. The consent form shall include the following:

A. Identification of the particular hospice that will provide care to the patient;

B. The patient's or **legal** representative's acknowledgment that *[s/he]* **the patient or legal representative** has been advised and has an understanding of the palliative nature of hospice care as it relates to the patient's terminal illness; **and**

C. The specific type of care and services that may be provided as hospice care during the course of the illness.

(D) Discontinuance of Hospice Care.

1. A patient or legal representative may discontinue the patient's hospice care at any time.

2. If a patient transfers to another provider, including another hospice provider, the hospice transferring care shall provide to the receiving provider pertinent written information which shall include at a minimum*[:]* –

A. Current medication profile;

B. Advance directive (if applicable); *[and]*

C. Problems that require intervention or follow-up*[.]***; and**

D. Current hospice plan of care.

3. The hospice shall have written policies for hospice patient discharge which identify specific circumstances in which the patient is discharged.

A. The hospice shall immediately notify the patient or **legal** representative and shall include the date that the discontinuance is effective.

B. Patient's/family's continuing care needs, if any, are assessed at discharge, and the patient/family are referred to appropriate resources.

4. The **attending** physician shall be notified in all instances of discontinuance of hospice care and such notification shall be documented in the patient record.

(E) General *[Provisions]* **Requirements**.

1. A hospice shall maintain compliance with the standards in 19 CSR 30-35.010 and in 19 CSR 30-35.030. A hospice that operates a facility for hospice care shall also maintain compliance with 19 CSR 30-35.020.

2. A hospice shall be primarily engaged in providing the care and services described in 19 CSR 30-35.010 and in 19 CSR 30-35.020 of this rule, and shall –

A. Provide twenty-four- (24-) hour nursing coverage for telephone consultation and visits as needed;

B. Assure all other services that are reasonable and necessary for the palliation and management of terminal illness and related conditions are available on a twenty-four- (24-) hour basis;

C. Provide bereavement counseling; and

D. Assure services are provided in a manner consistent with accepted standards of practice in accordance with local, state, and federal law.

3. The hospice shall conduct criminal background checks in accordance with state law.

4. The hospice shall adhere to state and federal law relating to advance directives.

(F) Patient Rights. The hospice shall have a written statement of patient rights which shall include, but need not be limited to, those specified herein*[:]* –

1. Each patient of a hospice program shall be informed in writing of his/her rights as **a** recipient*[s]* of hospice services*[.]***;**

2. The hospice shall document that it has informed patients of their rights in writing and shall protect and promote the exercise of these rights; and

3. The patient's family, **legal** representative, or guardian may exercise the patient's rights when all reasonable efforts to communicate with the patient have failed. These rights shall

include*[:]* –

A. The patient and family's right for respect of property and person*[:]*, **including the right to be free of abuse, neglect, and/or misappropriation of funds;**

B. The right to voice grievances regarding treatment or care that is, or fails to be, furnished or regarding lack of respect of property **or person** by anyone who is furnishing services on behalf of the hospice and the patient/family shall not be subjected to discrimination or reprisal for doing so;

C. The right to be informed about his/her care alternatives available from the hospice and payment resources;

D. The right to participate in the development of the plan of care and planning changes in the care;

E. The right to be informed in advance about the care to be furnished;

F. The right to be informed in advance of the disciplines that will furnish care and the frequency of visits proposed to be furnished;

G. The right to be informed in advance of any change in the plan of care before the change is made;

H. The right to confidentiality of the clinical records maintained by the hospice and to be informed of the hospice's policy for disclosure of clinical records;

I. The right to be informed in writing of the extent to which payment may be required from the patient and any changes in liability within thirty (30) days of the hospice becoming aware of the new amount of the liability; and

J. The right to access the Missouri home health and hospice toll-free hotline and to be informed of its telephone number, the hours of operations, and its purpose for the receipt of complaints and questions regarding hospice services.

(G) Code of Ethics.

1. A hospice shall develop a written code of ethics and have a process for reviewing ethical issues.

(H) Twenty-four- (24-) Hour Response.

1. The hospice shall have written policies and procedures defining access to all services, medications, equipment, and supplies during regular business hours, after hours, and in emergency situations including a plan for prompt telephone response.

2. Unscheduled non-emergent *[nursing]* visits *[when indicated should normally occur within three hours from the time the need is identified or]* **shall be provided** as agreed upon by the hospice and patient/**caregiver**.

3. When clinically indicated, emergent visits shall be made within ninety (90) minutes from the time the need is identified.

(I) Infection Control.

1. The hospice shall identify person(s) responsible for implementing *[and monitoring]*, **maintaining, and documenting** an infection control program **for surveillance, identification, prevention, control, and investigation of infections and communicable diseases**.

*[1.]***2.** The infection control program shall include a system for periodic review and update of infection control policies and procedures*[, a monitoring of practices and potential exposure to infection and of employee health]***; infection control education of staff, patients, and caregivers;** and **monitoring for** compliance with policies and procedures.

*[2.]***3.** The infection control policies and procedures shall conform with accepted standards of practice *[and address personal hygiene, aseptic and isolation techniques, waste disposal, and supply and medication storage]***, including the use of standard precautions, to prevent the transmission of infections and communicable diseases**.

(J) Safety and Emergency Preparedness.

1. The hospice shall have **a** safety *[and emergency preparedness plans that conform with federal, state and local requirements. Such plans that shall include:]* **plan that includes –**

A. *[A plan]* **Policies and procedures** for reporting, monitoring**,** and following up on all accidents, injuries**,** and safety *[hazards]* **concerns**;

B. Documentation of monitoring activity and follow-up actions; and

C. A safe and sanitary system for identifying, handling, and disposing of hazardous wastes **in compliance with all federal, state, and local laws**.

[2. The emergency preparedness plan shall be rehearsed at least annually.]

2. The hospice shall have an emergency preparedness program that shall meet all federal, state, and local requirements and shall include at a minimum –

A. An emergency plan based on a facility and community all-hazards risk assessment;

B. Policies and procedures reviewed and updated at least annually;

C. A communication plan;

D. Training of staff; and

E. Annual exercises to test the emergency plan.

(K) *[Satellite/Branch Offices]* **Branch/Multiple Locations**.

1. If the hospice represents to the public that they *[have a satellite/branch office, there shall be—]* **have a branch/multiple location(s), each location shall be approved prior to serving patients. Each branch/multiple location(s) shall have**

*[A. A]***a** designated interdisciplinary group with documented group meetings*[:]***,**

*[B. O]***o**n-site maintenance of current active patient records*[;]***,** and

*[C. T]***t**elephone reception during normal business hours.

2. The *[satellite office must]* **branch/multiple locations shall** be located within one hundred (100) miles of the parent office.

3. The standard of care and clinical services shall be the same out of the *[satellite/branch office]* **branch/multiple locations** as the parent office.

(2) Administration.

(A) Governing Body.

1. A hospice shall have a governing body that assumes full legal responsibility for the hospice's total operation.

2. The governing body shall meet, at a minimum, once a year.

3. The governing body shall designate an administrator **in writing and list the date the administrator was designated**.

(B) Administrator Provisions.

1. The administrator organizes and directs the agency's ongoing functions; maintains ongoing liaison among the governing body, the interdisciplinary group(s) and the staff; employs qualified personnel; implements an effective budgeting and accounting system; and enforces written policies and procedures.

2. A person shall be authorized**, in writing,** to act in the absence of **the** hospice administrator.

3. A registered nurse coordinator shall be designated to direct the overall provisions of clinical services.

(D) Plan of Care.

1. A written plan of care *[must]* **shall** be established for each patient by the interdisciplinary group with *[the]* attending physician involvement.

2. The plan shall be established within seven (7) days of admission.

3. The care provided to a patient shall be in accordance

with the plan.

4. The plan shall include:

A. Identification of the patient's/family's problems and needs;

B. The scope and frequency of services needed to meet the patient's and family's needs and by whom the services will be provided, prescribed and required medical equipment, supplies, medications, treatments**,** and the level of care;

C. Realistic and achievable goals; and

D. All physician orders.

5. The plan shall be reviewed and updated by the interdisciplinary group at a minimum of every two (2) weeks. These reviews shall be documented in the patient record.

6. Documentation on the plan of care shall reflect the changing needs of the patient/family and the services required to meet those needs.

(F) Interdisciplinary Group.

1. The hospice shall designate an interdisciplinary group or groups composed of qualified individuals who provide or supervise the care and services offered by the hospice. The interdisciplinary group shall meet *[no less often than every two (2) weeks]* **as frequently as the patient's condition requires, but no less frequently than every fifteen (15) calendar days**.

2. The interdisciplinary group shall include at least the following individuals who are employees of the hospice:

A. A doctor of medicine or osteopathy (may be contracted);

B. A registered nurse;

C. A social worker; and

D. A spiritual counselor.

3. The interdisciplinary group shall be responsible for*[:]*—

A. Participation in the establishment, review and updates of the plan of care;

B. Provision or coordination of hospice care and services; and

C. Making recommendations regarding policies governing the day-to-day provision of hospice care and services.

(G) Clinical Services. The hospice shall routinely provide through direct employees the following services:

1. Nursing services.

A. Services shall be provided in accordance with recognized standards of practice.

B. Nursing services shall be staffed to assure that the nursing needs of patients are met.

C. **A registered nurse shall conduct and document an initial assessment visit to assess the patient's immediate physical, psychosocial, emotional, and spiritual status and needs within forty-eight (48) hours of election.** The **ongoing** assessment, planning, and provision of nursing services shall be the responsibility of the registered nurse.

D. When nursing services are delegated to a licensed practical nurse –

(I) The licensed practical nurse shall be supervised by a registered nurse who is available to the licensed practical nurse at least by phone during the hours that the licensed practical nurse is providing services or is on call; and

(II) The registered nurse shall make *[at least monthly]* on-site **supervisory** visits **at least monthly to assess** and document that the licensed practical nurse is routinely providing nursing services in accordance with the plan of care.

E. The registered nurse shall develop a written aide assignment based upon the patient's/family's needs when *[home health]* **hospice** aide services are provided.

F. When aide services are being provided, a hospice registered nurse shall visit the home at least every two (2) weeks. The visit shall include an assessment of the aide services.

G. Written documentation shall show that the aide is providing services in accordance with the plan of care.

H. When an aide is permanently assigned to a hospice facility, the every two- (2-) week supervisory requirement does not apply, however there must be evidence of an annual performance review in the aide's personnel file.

2. Medical director services. The medical director shall be a direct or contract employee. The medical director's or designee's services and responsibilities include*[:]*—

A. Consulting with attending physicians regarding pain and symptom control;

B. Reviewing patient appropriateness for hospice services;

C. Acting as medical resource for the interdisciplinary group;

D. Acting as liaison to physicians in the community;

E. Assuring medical services are provided in the event the medical needs of the patient are not met by the attending physician; and

F. Routinely attending the interdisciplinary group meetings.

3. Medical social services.

A. Medical social services shall be provided in accordance with recognized standards of practice.

B. Social services shall be staffed to assure that the medical social service needs of **each** patient*[s]* **and family** are met.

C. The assessment, planning, and provision of medical social services shall be the responsibility of the social worker.

D. The social services assessment visit shall be completed within *[seven (7)]* **five (5)** days of admission or sooner if indicated.

4. Spiritual care services.

A. Spiritual care shall be available to all patients and families.

B. The spiritual counselor is responsible for assuring there is a documented assessment of the spiritual needs of the patient and family within *[seven (7)]* **five (5)** days of admission **or sooner if indicated** and that spiritual care provided reflects assessed needs.

C. The spiritual assessment shall include, at a minimum*[:]*—

(I) The identification of any religious affiliation the patient and family may have; and

(II) The nature and scope of any spiritual concerns or needs identified.

D. A visit by the spiritual counselor shall be offered to each patient. If the patient declines spiritual counselor visits, the spiritual counselor will serve as a resource for other interdisciplinary team members assessing spiritual needs and providing care, and will be available to coordinate with other spiritual care providers the patient/family may have identified.

5. Bereavement care services.

A. There shall be an organized program for the provision of bereavement services under the supervision of a qualified professional who is a person with training or experience related to death, dying, and bereavement.

B. Within two (2) months following the patient's death, there shall be *[an assessment of]* **an encounter (other than funeral attendance/visitation) to assess the** risk of the bereaved individual**(s)** *[and a]***. A** plan of care **shall be developed** that extends for one (1) year **following the death** appropriate to the level of risk assessed.

C. *[In addition to the assessment, at]* **At** least one (1) **additional** bereavement *[visit (other than funeral attendance/visitation)]* **encounter** shall occur within six (6) months after the death of the patient.

6. Other clinical services. The hospice shall provide the

following services directly by hospice employees or through a contracted provider. The assessment, planning, and provision of these services shall be the responsibility of the applicable licensed or registered clinician.

A. Dietary counseling, when required, shall be planned by a qualified dietary counselor.

B. Physical therapy services, occupational therapy services, and speech language pathology services shall be offered in a manner consistent with accepted standards of practice.

(I) Therapy services delegated to the physical therapy assistant or the occupational therapy assistant shall be supervised by a licensed physical therapist or registered occupational therapist as appropriate who is available to the physical therapy assistant or occupational therapy assistant at least by phone during the hours that *[s/he]* **the assistant** is providing services.

(II) When the assistant is providing services to a patient, the licensed or registered therapist shall make a supervisory visit to the residence of the patient at least every thirty (30) days.

(III) Written documentation shall show that the assistant is providing therapy services in accordance with the plan of care.

C. Additional counseling services. Any additional counseling services provided by the hospice shall be provided by qualified personnel, coordinated with all hospice services, included in the plan of care and documented in the clinical record.

D. Waiver.

(I) These requirements shall be waived by the *[Department of Health]* **department** for areas of the state in which no licensed therapists/dietitians/nutritionists are available provided a good faith effort to provide the service is being made.

(II) A hospice seeking this waiver shall submit a written request to the department along with evidence of efforts made by the hospice to provide the service. If approved, a request for waiver shall be resubmitted annually for review.

7. *[Home health]* **Hospice** aide and homemaker services. *[Home health]* **Hospice** aide and homemaker services shall be available to meet the needs of the patients.

A. If homemaker needs are identified, a member of the interdisciplinary group shall assign and coordinate the services.

B. *[Home health]* **Hospice** aide services *[must]* **shall** be provided by a qualified person as set forth in **this rule at** 19 CSR 30-35.010(1)(A)*[10.]***17.**

C. A *[home health]* **hospice** aide is not considered to have completed a training and competency program*[,]* or a competency evaluation program if, since the individual's most recent completion of such program(s), there has been a continuous period of twenty-four (24) consecutive months during none of which the individual furnished services described in 42 CFR *[409.40]* **418.76** for compensation.

D. The *[home health]* **hospice** aide shall follow written instructions for patient care which are prepared by a registered nurse *[and]* **who has physically assessed the patient. The hospice aide shall** document care provided. Duties include, but shall not be limited to, the duties specified in the regulations pertaining to the Medicare *[home health]* **hospice** aide (42 CFR *[484.36]* **418.76**).

E. Twelve (12) hours of in-service **training** per aide per twelve- (12-) month period shall be provided or assured by the hospice. The hospice shall maintain a record of in-service **training** provided.

(H) Medications. The hospice shall develop policies and procedures for the safe and effective use of medications, in accordance with accepted professional standards and applicable laws and regulations.

1. A medication list shall be maintained for each patient.

2. Medication orders shall include the medication name, dose, frequency, and route of administration.

3. Orders with variable doses or frequencies shall specify a maximum dose or frequency and the reason for administration.

4. Medications shall be provided on a timely basis and medication services shall be available on a twenty-four- (24-) hour basis for emergencies.

5. When controlled substance medications are delivered to the patient's residence by hospice staff, the date, patient name, medication name and strength, quantity indicated on the prescription container, and signatures of the hospice staff member and the receiver shall be documented.

6. The hospice shall identify and document any misuse of controlled substances and shall notify the prescriber.

7. Medication use shall be reviewed with the patient, family, or both and medication information, counseling, and education shall be provided when appropriate.

8. Current medication reference material shall be available to professional staff for all medications used.

9. Medications shall be administered by persons who have statutory authorization, the patient, or a family member.

10. Administration by the patient or by a family member shall be evaluated for appropriateness and ability and this evaluation documented by the nurse.

11. Medication incidents, including medication errors and adverse medication reactions, shall be reported to the prescriber, the registered nurse coordinator, and the pharmacist.

12. The hospice *[must]* **shall** have a policy for the disposal of controlled substances maintained in the patient's home when those medications are no longer needed by the patient. The policy shall include at a minimum, information shared with family regarding disposition of medications when no longer required.

13. Medications shall not be transferred to other patients and shall not be removed from the residence by hospice staff.

(J) Volunteers.

1. Each hospice shall document and maintain a volunteer staff sufficient to provide administrative and direct patient care hours in an amount that, at a minimum, equals five percent (5%) of the total patient care hours of all paid hospice employees and contract staff. The hospice shall document a continuing level of volunteer activity.

2. Care and services through the use of volunteers, including the type of services and the time worked, shall be recorded.

3. The hospice shall document initial screening and active and ongoing efforts to recruit and retain volunteers.

4. The hospice shall provide task-appropriate orientation and training consistent with acceptable standards of hospice practice, that includes at a minimum*[:]*—

A. Hospice philosophy, goals, and services;

B. The volunteer role in hospice;

C. Confidentiality;

D. Instruction in the volunteer's particular duties and responsibilities;

E. Whom to contact if in need of assistance or instruction regarding the performance of their specific duties and responsibilities; and

F. Documentation and record keeping as related to the volunteer's duties.

5. The hospice shall, in addition, provide orientation for patient care volunteers that includes at a minimum*[:]*—

A. Concepts of death and dying;

B. Communication skills;
C. Care and comfort measures;
D. Psychosocial and spiritual issues related to death and dying;
E. The concept of hospice patient and family as the unit of care;
F. Procedures to be followed in an emergency or following the death of the patient;
G. Concepts of grief and loss;
H. Universal precautions;
I. Safety;
J. Patient/family rights;
K. Hospice and the nursing home; and
L. Alzheimer's disease and dementia-specific training as specified at 19 CSR 30-35.010(2)(M)1.B.(XIII).

6. The hospice shall document orientation and ongoing in-services.

7. Volunteers functioning in accordance with professional practice acts *[must]* **shall** show evidence of current professional standing and licensure, if applicable.

(K) *[Central]* Clinical Records.

1. In accordance with accepted principles of practice, the hospice shall establish and maintain a clinical record for every patient receiving care and services.

2. The record shall be complete, legible, readily accessible, and systematically organized to facilitate retrieval. Documentation shall be prompt and accurate.

3. Each clinical record shall be a comprehensive compilation of information. Entries shall be made for all services provided.

4. Entries shall be made and signed by the person providing the services.

5. The record shall include all services whether furnished directly or through contracted providers. Each clinical record shall contain –

A. Physician's orders;

B. Complete documentation of all assessments, services**, visits,** and events *[including:]***;**

[(I) The physical condition of the patient;
(II) The psychosocial status of the patient/family;
(III) The spiritual status of the patient/family; and
(IV) Potential bereavement complications;]

C. The plan of care **and updates to the plan of care**;

D. Identification data;

E. Consent form;

F. Pertinent medical history;

G. Determination of financial responsibility; and

H. Documentation of communication with coordinating providers.

6. The hospice shall safeguard the clinical record against loss, destruction, and unauthorized use.

(M) Employee Training and Orientation.

1. Each hospice shall provide initial orientation for each direct employee that is specific to the employee's job duties.

A. All employees shall be oriented to –

(I) Hospice philosophy, goals, and services;
(II) Confidentiality;
(III) Specific job duties;
(IV) Hospice policies and procedures as appropriate to the position.

B. Patient care employees shall also be oriented to –

(I) Interdisciplinary group function and responsibility;
(II) Communication skills;
(III) Physical, psychosocial, and spiritual assessment;
(IV) Plan of care;
(V) Symptom management;
(VI) Universal precautions;
(VII) Patient/family safety issues;
(VIII) Patient/family rights;
(IX) Documentation;
(X) Concepts of grief and loss;
(XI) Facility resident care;
(XII) Levels of hospice care; and
(XIII) Alzheimer's disease and related dementias. Hospice agencies shall provide dementia-specific training about Alzheimer's disease and related dementias to their employees and those persons working as independent contractors who provide direct care to or may have daily contact with residents, patients, clients, or consumers with Alzheimer's disease or related dementias.

(a) At a minimum, the training required shall address the following areas:

I. An overview of Alzheimer's disease and related dementias;
II. Communicating with persons with dementia;
III. Behavior management;
IV. Promoting independence in activities of daily living; and
V. Understanding and dealing with family issues.

(b) Employees or independent contractors who do not provide direct care for, but may have daily contact with, persons with Alzheimer's disease or related dementias shall receive dementia-specific training that includes at a minimum:

I. An overview of Alzheimer's disease and related dementias; and
II. Communicating with persons with dementia.

(c) Dementia-specific training about Alzheimer's disease and related dementias shall be incorporated into orientation for **–**

I. *[n]***N**ew employees with direct patient contact *[and]***;**

II. [i]**I**ndependent contractors with direct patient contact**; and**

III. Employees who do not provide direct care for, but may have daily contact with, persons with Alzheimer's disease or related dementias. The training shall be provided annually and updated as needed.

C. Ongoing in-service training shall include a broad range of topics that reflect identified educational needs.

D. The hospice shall document initial orientation and in-service topics presented.

2. Volunteers are exempt from these provisions, except for dementia-specific training as specified at 19 CSR 30-35.010 (2)(M)1.B.(XIII), as their orientation and in-service requirements are defined in 19 CSR 30-35.010(2)(J)4., 5., and 6.

3. Contract employees shall receive orientation to dementia-specific training as specified at 19 CSR 30-35.010(2)(M)1.B.(XIII), confidentiality, hospice philosophy, and to their specific job duties.

(N) **Quality Assessment and** Performance Improvement.

1. The hospice shall follow a written plan for assessing and improving program operations which includes:

A. Goals and objectives;

B. The identity of the person responsible for the program; and

C. A method for resolving identified problems.

2. The plan and performance improvement activities shall be reviewed at least annually by a designated group and the governing body and revised as appropriate.

3. When problems are identified in the provision of hospice services, the hospice shall document any evidence of corrective actions taken, including ongoing monitoring, revisions of policies and procedures, educational intervention, and changes in the provision of services.

4. The effectiveness of actions taken to improve services or

correct identified problems shall be evaluated.

5. A designated group shall review and document the **quality assessment and** performance improvement activities and monitor corrective actions.

*AUTHORITY: section**s 192.2000 and** 197.270, RSMo 2016. Original rule filed March 8, 1996, effective Oct. 30, 1996. Rescinded and readopted: Filed Jan. 3, 2001, effective Aug. 30, 2001. Amended: Filed Sept. 11, 2007, effective March 30, 2008. Amended: Filed July 9, 2020, effective Jan. 30, 2021. Amended: Filed Sept. 15, 2022.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with William Koebel by email at William.Koebel@health.mo.gov or by mail at ATTN: William Koebel, Department of Health and Senior Services, PO Box 570, Jefferson City, MO 65102-0570. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 2095 – Committee for Professional Counselors
Chapter 1 – General Rules

PROPOSED AMENDMENT

20 CSR 2095-1.020 Fees. The committee is amending section (1).

PURPOSE: This amendment increases the renewal fee and cleans up other language.

(1) The following fees are established by the Committee for Professional Counselors and are payable in the form of a cashier's check, personal check, or money order:

(D) Biennial Renewal	*[$ 50.00]***$ 75.00**
[1. Effective April 1, 2019 through June 30, 2019	*$ 25.00]*
*[2.]***1.** Renewal fees received 1–60 days late	$ 50.00
*[3.]***2.** Renewal fees received 61 days–2 years late	$100.00
(E) *[Insufficient Funds Check Charge]* **Bad Check Fee**	$ 25.00

*AUTHORITY: sections 337.507 and 337.520.1(2), RSMo Supp. **[2018] 2022**. This rule originally filed as 4 CSR 95-1.020. Original rule filed Oct. 16, 1986, effective Jan. 30, 1987. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 15, 2022.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities approximately one hundred eighty-one thousand dollars ($181,000) biennially for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Committee for Professional Counselors, PO Box 1335, 3605 Missouri Boulevard, Jefferson City, MO 65102-1335, by facsimile at (573) 751-0018, or via email at profcounselor@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 -Department of Commerce and Insurance
Division 2095—Committee for Professional Counselors
Chapter 1 - General Rules
Proposed Amendment to 20 CSR 2095-1.020 Fees

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated costs for the life of the rule by affected entities:
7,240	Renewal Fee (Fee Increase @ $25)	$181,000
	Estimated Cost Beginning in FY23 and Biennially Thereafter	**$181,000**

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The committee utilizes a rolling five year financial analysis process to evaluate its fund balance, establish fee structure, and assess budgetary needs. The five (5) year analysis is based on the projected revenue, expenses, and number of licensees. Based on the committee's recent five (5) year analysis, the committee voted to increase fees.
2. Actual revenue increases may vary based on renewal applications received.
3. It is anticipated that the total costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

Note: The committee is statutorily obligated to enforce and administer the provisions of sections 337.500 to 337.540, RSMo. Pursuant to section 337.507, RSMo, the committee shall by rule and regulation set the amount of fees authorized by section 337.507, RSMo, so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the committee for administering the provisions of sections 337.500 to 337.540, RSMo.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted that has been changed from the text contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments that are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

Title 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 7 – Wildlife Code: Hunting: Seasons, Methods, Limits

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-7.433 Deer: Firearms Hunting Season **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2022 (47 MoReg 871). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Conservation Commission received one (1) comment on the proposed amendment.

COMMENT #1: One individual expressed support for changes to this rule and provided a comment unrelated to the proposed amendment that pertained to the ability to carry a firearm while archery deer hunting.
RESPONSE: The commission thanks the individual for their input.

Title 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 7 – Wildlife Code: Hunting: Seasons, Methods, Limits

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-7.705 Elk: Hunting Season **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2022 (47 MoReg 871-872). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 13 – DEPARTMENT OF SOCIAL SERVICES
Division 70 – MO HealthNet Division
Chapter 3 – Conditions of Provider Participation, Reimbursement, and Procedure of General Applicability

ORDER OF RULEMAKING

By the authority vested in the Department of Social Services, MO HealthNet Division, under sections 208.201 and 660.017, RSMo 2016, the division amends a rule as follows:

13 CSR 70-3.320 Electronic Visit Verification (EVV) **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2022 (47 MoReg 883-885). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 13 – DEPARTMENT OF SOCIAL SERVICES
Division 70 – MO HealthNet Division
Chapter 4 – Conditions of Participant Participation, Rights, and Responsibilities

ORDER OF RULEMAKING

By the authority vested in the Department of Social Services, MO HealthNet Division, under sections 208.153, 208.201, and 660.017, RSMo 2016, the division rescinds a rule as follows:

13 CSR 70-4.051 Copayment for Pharmacy Services **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 1, 2022 (47 MoReg 886). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission

becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 13 – DEPARTMENT OF SOCIAL SERVICES
Division 70 – MO HealthNet Division
Chapter 5 – Nonemergency Medical Transportation (NEMT) Services

ORDER OF RULEMAKING

By the authority vested in the Department of Social Services, MO HealthNet Division, under sections 208.201 and 660.017, RSMo 2016, the division amends a rule as follows:

13 CSR 70-5.010 Nonemergency Medical Transportation (NEMT) Services **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2022 (47 MoReg 886). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 2110 – Missouri Dental Board
Chapter 2 – General Rules

ORDER OF RULEMAKING

By the authority vested in the Missouri Dental Board under section 332.031, RSMo 2016, the board amends a rule as follows:

20 CSR 2110-2.050 Licensure by Examination – Dental Hygienists **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2022 (47 MoReg 887). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 2165 – Board of Examiners for Hearing Instrument Specialists
Chapter 2 – Licensure Requirements

ORDER OF RULEMAKING

By the authority vested in the Board of Examiners for Hearing Instrument Specialists under section 346.125, RSMo 2016, the board amends a rule as follows:

20 CSR 2165-2.010 Hearing Instrument Specialist in Training (Temporary Permits) **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2022 (47 MoReg 887-888). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 2165 – Board of Examiners for Hearing Instrument Specialists
Chapter 2 – Licensure Requirements

ORDER OF RULEMAKING

By the authority vested in the Board of Examiners for Hearing Instrument Specialists under section 346.125, RSMo 2016, the board amends a rule as follows:

20 CSR 2165-2.025 Application Procedures **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2022 (47 MoReg 888-889). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 2165 – Board of Examiners for Hearing Instrument Specialists
Chapter 2 – Licensure Requirements

ORDER OF RULEMAKING

By the authority vested in the Board of Examiners for Hearing Instrument Specialists under section 346.125, RSMo 2016, the board rescinds a rule as follows:

20 CSR 2165-2.040 Licensure by Reciprocity **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 1, 2022 (47 MoReg 889). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 2165 – Board of Examiners for Hearing Instrument Specialists
Chapter 2 – Licensure Requirements

ORDER OF RULEMAKING

By the authority vested in the Board of Examiners for Hearing Instrument Specialists under section 346.125, RSMo 2016, the board amends a rule as follows:

20 CSR 2165-2.060 License Renewal **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2022 (47 MoReg 889-890). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 2220 – State Board of Pharmacy
Chapter 2 – General Rules

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under section 338.140, RSMo Supp. 2022, and section 338.280, RSMo 2016, the board amends a rule as follows:

20 CSR 2220-2.685 Standards of Operation for a Class Q: Charitable Pharmacy **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2022 (47 MoReg 835). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 2220 – State Board of Pharmacy
Chapter 7 – Licensing

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under section 338.140, RSMo Supp. 2022, and section 338.280, RSMo 2016, the board amends a rule as follows:

20 CSR 2220-7.010 General Licensing Rules **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2022 (47 MoReg 890-891). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 2220 – State Board of Pharmacy
Chapter 7 – Licensing

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under section 338.140, RSMo Supp. 2022, the board amends a rule as follows:

20 CSR 2220-7.030 Pharmacist Licensure by Examination **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2022 (47 MoReg 891-892). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 2234 – Board of Private Investigator and Private Fire Investigator Examiners
Chapter 5 – Examination Requirements

ORDER OF RULEMAKING

By the authority vested in the Board of Private Investigator and Private Fire Investigator Examiners under section 324.1138, RSMo 2016, the board amends a rule as follows:

20 CSR 2234-5.010 Examination **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2022 (47 MoReg 892). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 2263 – State Committee for Social Workers
Chapter 2 – Licensure Requirements

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under section 337.627, RSMo Supp. 2022, the committee amends a rule as follows:

20 CSR 2263-2.031 Acceptable Supervisors and Supervisor Responsibilities **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2022 (47 MoReg 892-894). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

The Secretary of State is required by sections 347.141 and 359.481, RSMo, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to adrules.dissolutions@sos.mo.gov.

NOTICE OF WINDING UP TO ALL CREDITORS AND CLAIMANTS AGAINST TRIAD OF JOHNSON COUNTY, LLC

On August 15, 2022, Triad of Johnson County, LLC, a Missouri limited liability company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State, effective on the filing date.

All claims against Triad of Johnson County, LLC must be mailed to Joseph Reid at 300 S. John Q. Hammons Parkway, Suite 800, Springfield, Missouri 65806. Each claim must include the name, phone number, and address of the claimant; the amount of the claim; the basis of the claim; the date(s) on which the event(s) on which the claim is based occurred; and any documentation related to the claim.

Any and all claims against Triad of Johnson County, LLC will be barred unless a proceeding to enforce such claim is commenced within three (3) years after the date this notice is published.

NOTICE OF WINDING UP TO ALL CREDITORS AND CLAIMANTS AGAINST TRIAD OF POLK COUNTY, LLC

On August 15, 2022, Triad of Polk County, LLC, a Missouri limited liability company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State, effective on the filing date.

All claims against Triad of Polk County, LLC must be mailed to Joseph Reid at 300 S. John Q. Hammons Parkway, Suite 800, Springfield, Missouri 65806. Each claim must include the name, phone number, and address of the claimant; the amount of the claim; the basis of the claim; the date(s) on which the event(s) on which the claim is based occurred; and any documentation related to the claim.

Any and all claims against Triad of Polk County, LLC will be barred unless a proceeding to enforce such claim is commenced within three (3) years after the date this notice is published.

NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST RDJT, LLC

On September 9, 2022, RDJT, LLC, a Missouri limited liability company ("the Company"), filed its Notice of Winding Up with the Missouri Secretary of State.

Any claims against the Company may be sent to: Thomas L. Morefield, 13902 Norby Road, Grandview, MO 64030. Each claim must include the following: name, address and phone number of claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim.

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three years after the publication of this notice.

NOTICE OF WINDING UP TO ALL CREDITORS AND CLAIMANTS AGAINST TRIAD PHYSICIAN SOLUTIONS, LLC

On August 15, 2022, Triad Physician Solutions, LLC, a Missouri limited liability company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State, effective on the filing date.

All claims against Triad Physician Solutions, LLC must be mailed to Joseph Reid at 300 S. John Q. Hammons Parkway, Suite 800, Springfield, Missouri 65806. Each claim must include the name, phone number, and address of the claimant; the amount of the claim; the basis of the claim; the date(s) on which the event(s) on which the claim is based occurred; and any documentation related to the claim.

Any and all claims against Triad Physician Solutions, LLC will be barred unless a proceeding to enforce such claim is commenced within three (3) years after the date this notice is published.

NOTICE OF WINDING UP FOR LIMITED LIABILITY COMPANY TO ALL CREDITORS AND CLAIMANTS AGAINST HAMSPA WELLNESS, LLC

On August 16, 2022, Hamspa Wellness, LLC, a Missouri limited liability company (the "Company"), filed a Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. The dissolution was effective on that date.

You are hereby notified that if you believe you have a claim against the Company, you must submit a written summary of your claim to the Company in care of Dafna Revah, 12400 Olive Boulevard, St. Louis, MO 63141. The summary of your claim must include the following information:

1. The name, address, and telephone number of the claimant;

2. The amount of the claim;

3. The date on which the claim is based occurred;

4. A brief description of the nature of the debt or the basis for the claim; and

5. Whether the claim is secured, and if so, the collateral used as security.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three years after publication of this notice.

NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST CHINA RIDER, LLC

On September 9, 2022, China Rider, LLC, a Missouri limited liability company ("the Company"), filed its Notice of Winding Up with the Missouri Secretary of State.

Any claims against the Company may be sent to: Ryan Beckland, 131 Sierra Point Road, Brisbane, CA 94005. Each claim must include the following: name, address and phone number of claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim.

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three years after the publication of this notice.

NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST SCARLET BEGONIAS, LLC

On September 9, 2022, Scarlet Begonias, LLC, a Missouri limited liability company ("the Company"), filed its Notice of Winding Up with the Missouri Secretary of State.

Any claims against the Company may be sent to: Ryan Beckland, 131 Sierra Point Road, Brisbane, CA 94005. Each claim must include the following: name, address and phone number of claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim.

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three years after the publication of this notice.

NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST BRAD GUFFEY MOTORS REAL ESTATE, LLC

On August 19, 2022, Brad Guffey Motors Real Estate, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date.

All persons and organizations must submit to Company, c/o Frank C. Carnahan, Esq., Carnahan Evans PC, 2805 S. Ingram Mill Road, Springfield, Missouri 65804, a written summary of any claims against Company, including: 1) claimant's name, address and telephone number; 2) amount of claim; 3) date(s) claim accrued (or will accrue); 4) brief description of the nature of the debt or the basis for the claim; and 5) if the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this Notice.

NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST SMITH & SMITH CONSULTING, LLC

On August 5, 2022, Smith & Smith Consulting, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date.

All persons and organizations must submit to Company, c/o Frank C. Carnahan, Esq., Carnahan Evans PC, 2805 S. Ingram Mill Road, Springfield, Missouri 65804, a written summary of any claims against Company, including: 1) claimant's name, address and telephone number; 2) amount of claim; 3) date(s) claim accrued (or will accrue); 4) brief description of the nature of the debt or the basis for the claim; and 5) if the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this Notice.

NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST SPLICE CREEK PARTNERS, LLC

On October 7, 2021, SPLICE CREEK PARTNERS, LLC, a Missouri limited liability company, filed a Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

You are hereby notified that if you believe you have a claim against SPLICE CREEK PARTNERS, LLC, you must submit a summary of writing of the circumstances surrounding your claim to: Thomas R. Smith, 401 E Locust St, Ste 300, Columbia, MO 65201.

The summary must include the following information: (1) the claimant's name, address and telephone number of the claimant; (2) the amount of the claim; (3) the date on which the claim arose; (4) the basis of the claim; and (5) documentation supporting the claim.

All claims against SPLICE CREEK PARTNERS, LLC will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST ASRE-NIFONG, LLC

On March 18, 2022, ASRE-NIFONG, LLC, a Missouri limited liability company, filed a Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

You are hereby notified that if you believe you have a claim against ASRE-NIFONG, LLC, you must submit a summary of writing of the circumstances surrounding your claim to: Thomas R. Smith, 401 E Locust St, Ste 300, Columbia, MO 65201.

The summary must include the following information: (1) the claimant's name, address and telephone number of the claimant; (2) the amount of the claim; (3) the date on which the claim arose; (4) the basis of the claim; and (5) documentation supporting the claim.

All claims against ASRE-NIFONG, LLC will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

NOTICE OF DISSOLUTION BY VOLUNTARY ACTION FOR A NONPROFIT CORPORATION TO ALL CREDITORS OF AND ALL CLAIMANTS AGAINST BRAUER FAMILY CHARITABLE FOUNDATION, INC.

The name of the Nonprofit Corporation is Brauer Family Charitable Foundation, Inc.

The Articles of Incorporation for Brauer Family Charitable Foundation, Inc. were filed with the Missouri Secretary of State on December 30, 2014, and amended on July 24, 2015.

On September 14, 2022, Brauer Family Charitable Foundation, Inc. filed Articles of Dissolution by Voluntary Action for a Nonprofit Corporation with the Secretary of State of Missouri.

Persons with claims against Brauer Family Charitable Foundation, Inc. should present them in accordance with the following procedure:

(a) In order to file a claim with Brauer Family Charitable Foundation, Inc., you must furnish the following:
  (i) Amount of the claim
  (ii) Basis for the claim
  (iii) Documentation of the claim

(b) The claim must be mailed to:
Shery A. Snyder
16401 Swingley Ridge Road, Suite 330
Chesterfield, Missouri 63017

A claim against Brauer Family Charitable Foundation, Inc. will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST WESTPORT PHARMACEUTICALS, LLC, a Missouri limited liability company.

On September 14, 2022, WESTPORT PHARMACEUTICALS, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. Said Notice was effective on September 14, 2022.

The Company requests that all persons and organizations who have claims against it present them immediately by letter to the Company to the attention of M. Spencer Garland c/o Greensfelder, Hemker & Gale, P.C., 10 S. Broadway, Suite 2000, St. Louis, Missouri 63102.

All claims must include (i) the name and address of the claimant; (ii) the amount claimed; (iii) the basis for the claim; (iv) the date(s) on which the event(s) on which the claim is based occurred, and (v) any other documentation of the claim.

NOTICE: Pursuant to Section 347.141 RSMo., any claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*. Citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year — 46 (2021) and 47 (2022). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
	OFFICE OF ADMINISTRATION				
1 CSR 10	State Officials' Salary Compensation Schedule				47 MoReg 1457
1 CSR 40-1.050	Purchasing and Materials Management		47 MoReg 549	47 MoReg 1140	
	DEPARTMENT OF AGRICULTURE				
2 CSR 60-4.110	Grain Inspection and Warehousing		47 MoReg 823		
2 CSR 60-5.100	Grain Inspection and Warehousing		47 MoReg 824		
2 CSR 80-2.190	State Milk Board		47 MoReg 966		
2 CSR 80-5.010	State Milk Board		47 MoReg 966		
2 CSR 90	Weights, Measures and Consumer Protection				47 MoReg 1147
2 CSR 90-10.020	Weights, Measures and Consumer Protection		47 MoReg 1424		
	DEPARTMENT OF CONSERVATION				
3 CSR 10-5.900	Conservation Commission				47 MoReg 1459
3 CSR 10-7.433	Conservation Commission		47 MoReg 871	This Issue	
3 CSR 10-7.705	Conservation Commission		47 MoReg 871	This Issue	
3 CSR 10-9.354	Conservation Commission		This Issue		
3 CSR 10-9.565	Conservation Commission		This Issue		
3 CSR 10-11.111	Conservation Commission				47 MoReg 1343
3 CSR 10-11.115	Conservation Commission		47 MoReg 1281		
3 CSR 10-11.160	Conservation Commission		This Issue		
3 CSR 10-11.184	Conservation Commission		47 MoReg 1281		
3 CSR 10-11.185	Conservation Commission		47 MoReg 1282		
3 CSR 10-11.215	Conservation Commission		47 MoReg 1285		
3 CSR 10-12.110	Conservation Commission		47 MoReg 1285		
3 CSR 10-12.135	Conservation Commission		47 MoReg 1285		
3 CSR 10-12.140	Conservation Commission		47 MoReg 1286		
3 CSR 10-12.145	Conservation Commission		47 MoReg 1289		
	DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION				
5 CSR 20-100.130	Division of Learning Services		47 MoReg 412	47 MoReg 1235	
5 CSR 20-100.140	Division of Learning Services		47 MoReg 413R	47 MoReg 1235R	
5 CSR 20-100.210	Division of Learning Services		47 MoReg 550		
5 CSR 20-400.220	Division of Learning Services	47 MoReg 1419	47 MoReg 1424		
5 CSR 20-400.370	Division of Learning Services		47 MoReg 1425		
5 CSR 20-400.610	Division of Learning Services		47 MoReg 1077		
5 CSR 20-500.250	Division of Learning Services		47 MoReg 780		
5 CSR 25-100.330	Office of Childhood		47 MoReg 1078		
5 CSR 25-200.060	Office of Childhood		47 MoReg 1430		
5 CSR 30-4.030	Division of Financial and Administrative Services		47 MoReg 872		
5 CSR 30-660.090	Division of Financial and Administrative Services	47 MoReg 779	47 MoReg 784		
	DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE DEVELOPMENT				
6 CSR 10-2.190	Commissioner of Higher Education	47 MoReg 473			
6 CSR 10-12.010	Commissioner of Higher Education		47 MoReg 623	47 MoReg 1335W	
6 CSR 10-13.010	Commissioner of Higher Education		47 MoReg 626	47 MoReg 1235	
	MISSOURI DEPARTMENT OF TRANSPORTATION				
7 CSR 10-1.010	Missouri Highways and Transportation Commission		47 MoReg 551	47 MoReg 1387	
7 CSR 10-1.020	Missouri Highways and Transportation Commission		47 MoReg 967		
7 CSR 10-11.020	Missouri Highways and Transportation Commission		47 MoReg 554	47 MoReg 1387	
7 CSR 10-17.020	Missouri Highways and Transportation Commission		This Issue		
7 CSR 10-17.030	Missouri Highways and Transportation Commission		This Issue		
7 CSR 10-17-040	Missouri Highways and Transportation Commission		This Issue		
7 CSR 10-17.050	Missouri Highways and Transportation Commission		This Issue		
7 CSR 10-17.060	Missouri Highways and Transportation Commission		This Issue		
7 CSR 10-25.010	Missouri Highways and Transportation Commission		47 MoReg 967		
7 CSR 10-25.020	Missouri Highways and Transportation Commission		47 MoReg 1229		
7 CSR 10-25.030	Missouri Highways and Transportation Commission		47 MoReg 968		
7 CSR 10-25.070	Missouri Highways and Transportation Commission		47 MoReg 968		
7 CSR 10-25.071	Missouri Highways and Transportation Commission		47 MoReg 968		
7 CSR 10-25.080	Missouri Highways and Transportation Commission		47 MoReg 969		
7 CSR 10-25.090	Missouri Highways and Transportation Commission		47 MoReg 969		
7 CSR 60-1.010	Highway Safety and Traffic Division		This Issue R This Issue		
7 CSR 60-1.020	Highway Safety and Traffic Division		This Issue R This Issue		
7 CSR 60-1.030	Highway Safety and Traffic Division		This Issue R This Issue		
7 CSR 60-1.040	Highway Safety and Traffic Division		This Issue R This Issue		
7 CSR 60-1.050	Highway Safety and Traffic Division		This Issue R		
7 CSR 60-1.060	Highway Safety and Traffic Division		This Issue R		
7 CSR 60-1.070	Highway Safety and Traffic Division		This Issue R		
7 CSR 60-1.080	Highway Safety and Traffic Division		This Issue R		
7 CSR 60-1.090	Highway Safety and Traffic Division		This Issue R		

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
7 CSR 60-1.100	Highway Safety and Traffic Division		This Issue		
7 CSR 60-1.110	Highway Safety and Traffic Division		This Issue		
7 CSR 60-2.010	Highway Safety and Traffic Division		47 MoReg 824		
7 CSR 60-2.020	Highway Safety and Traffic Division		47 MoReg 826		
7 CSR 60-2.030	Highway Safety and Traffic Division		47 MoReg 826		
7 CSR 60-2.040	Highway Safety and Traffic Division		47 MoReg 827		
7 CSR 60-2.050	Highway Safety and Traffic Division		47 MoReg 827		
7 CSR 60-2.060	Highway Safety and Traffic Division		47 MoReg 828		
7 CSR 60-3.010	Highway Safety and Traffic Division		47 MoReg 828R 47 MoReg 828		
7 CSR 265-10.017	Motor Carrier and Railroad Safety		47 MoReg 970		
7 CSR 265-10.025	Motor Carrier and Railroad Safety		47 MoReg 970		
7 CSR 265-10.035	Motor Carrier and Railroad Safety		47 MoReg 971		
	DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS				
8 CSR 40-1.010	State Board of Mediation		47 MoReg 482	47 MoReg 1335	
8 CSR 40-2.010	State Board of Mediation		47 MoReg 483	47 MoReg 1335	
8 CSR 40-2.020	State Board of Mediation		47 MoReg 483R	47 MoReg 1336R	
8 CSR 40-2.025	State Board of Mediation		47 MoReg 483	47 MoReg 1336	
8 CSR 40-2.030	State Board of Mediation		47 MoReg 484	47 MoReg 1336	
8 CSR 40-2.040	State Board of Mediation		47 MoReg 484R	47 MoReg 1337R	
8 CSR 40-2.050	State Board of Mediation		47 MoReg 485R	47 MoReg 1338R	
8 CSR 40-2.055	State Board of Mediation		47 MoReg 485R	47 MoReg 1338R	
8 CSR 40-2.060	State Board of Mediation		47 MoReg 485R	47 MoReg 1338R	
8 CSR 40-2.070	State Board of Mediation		47 MoReg 485	47 MoReg 1338	
8 CSR 40-2.080	State Board of Mediation		47 MoReg 486	47 MoReg 1338	
8 CSR 40-2.090	State Board of Mediation		47 MoReg 486	47 MoReg 1338	
8 CSR 40-2.100	State Board of Mediation		47 MoReg 486	47 MoReg 1338	
8 CSR 40-2.120	State Board of Mediation		47 MoReg 487	47 MoReg 1339	
8 CSR 40-2.130	State Board of Mediation		47 MoReg 487	47 MoReg 1339	
8 CSR 40-2.140	State Board of Mediation		47 MoReg 487	47 MoReg 1340	
8 CSR 40-2.150	State Board of Mediation		47 MoReg 489	47 MoReg 1340	
8 CSR 40-2.160	State Board of Mediation		47 MoReg 489	47 MoReg 1341	
8 CSR 40-2.170	State Board of Mediation		47 MoReg 490	47 MoReg 1341	
8 CSR 40-2.180	State Board of Mediation		47 MoReg 490	47 MoReg 1341	
	DEPARTMENT OF MENTAL HEALTH				
9 CSR 10-5.206	Director, Department of Mental Health		47 MoReg 555	47 MoReg 1235	
9 CSR 10-5.210	Director, Department of Mental Health		47 MoReg 1233		
9 CSR 10-5.220	Director, Department of Mental Health		47 MoReg 561	47 MoReg 1236	
9 CSR 30-3.190	Certification Standards		47 MoReg 1432R 47 MoReg 1433		
9 CSR 30-4.005	Certification Standards		47 MoReg 562	47 MoReg 1236	
9 CSR 30-4.035	Certification Standards		47 MoReg 562	47 MoReg 1236	
9 CSR 30-4.043	Certification Standards		47 MoReg 565	47 MoReg 1237	
9 CSR 30-4.0431	Certification Standards		47 MoReg 568	47 MoReg 1238	
9 CSR 30-4.0432	Certification Standards		47 MoReg 569	47 MoReg 1455	
9 CSR 30-4.045	Certification Standards		47 MoReg 571	47 MoReg 1239	
9 CSR 30-4.046	Certification Standards		47 MoReg 573	47 MoReg 1240	
9 CSR 30-4.190	Certification Standards		47 MoReg 574	47 MoReg 1240	
	DEPARTMENT OF NATURAL RESOURCES				
10 CSR 10-6.210	Air Conservation Commission		47 MoReg 235	47 MoReg 1140	
10 CSR 20-6.010	Clean Water Commission		47 MoReg 1079		
10 CSR 20-6.200	Clean Water Commission		47 MoReg 1081		
10 CSR 25-7	Hazardous Waste Management Commission				47 MoReg 1147 47 MoReg 1388
10 CSR 90-2.010	State Parks		47 MoReg 1289		
10 CSR 90-2.030	State Parks		47 MoReg 1290		
10 CSR 90-2.050	State Parks		47 MoReg 1291		
10 CSR 140-2	Division of Energy				47 MoReg 1459
10 CSR 140-8.010	Division of Energy		47 MoReg 1082		
	DEPARTMENT OF PUBLIC SAFETY				
11 CSR 45-1.090	Missouri Gaming Commission		47 MoReg 491	47 MoReg 1140	
11 CSR 45-5.184	Missouri Gaming Commission		47 MoReg 306	47 MoReg 1141	
11 CSR 45-5.190	Missouri Gaming Commission		47 MoReg 493	47 MoReg 1141	
11 CSR 45-5.210	Missouri Gaming Commission		47 MoReg 493	47 MoReg 1141	
11 CSR 45-5.215	Missouri Gaming Commission		47 MoReg 494	47 MoReg 1141	
11 CSR 45-5.225	Missouri Gaming Commission		47 MoReg 495	47 MoReg 1141	
11 CSR 45-5.265	Missouri Gaming Commission		47 MoReg 307	47 MoReg 1142	
11 CSR 45-9.030	Missouri Gaming Commission		47 MoReg 1436		
11 CSR 45-9.104	Missouri Gaming Commission		47 MoReg 307 47 MoReg 1436	47 MoReg 1142	
11 CSR 45-9.108	Missouri Gaming Commission		47 MoReg 496	47 MoReg 1142	
11 CSR 45-9.109	Missouri Gaming Commission		47 MoReg 1437		
11 CSR 45-9.118	Missouri Gaming Commission		47 MoReg 496	47 MoReg 1143	
11 CSR 45-9.119	Missouri Gaming Commission		47 MoReg 497	47 MoReg 1143	
11 CSR 45-9.121	Missouri Gaming Commission		47 MoReg 500	47 MoReg 1144	
11 CSR 50-2.080	Missouri State Highway Patrol		47 MoReg 626	47 MoReg 1341	
11 CSR 50-2.150	Missouri State Highway Patrol		47 MoReg 627	47 MoReg 1342	
11 CSR 50-2.170	Missouri State Highway Patrol		47 MoReg 627	47 MoReg 1342	
11 CSR 50-2.320	Missouri State Highway Patrol		47 MoReg 628	47 MoReg 1342	
11 CSR 70-2.120	Division of Alcohol and Tobacco Control		47 MoReg 874		

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
11 CSR 70-2.130	Division of Alcohol and Tobacco Control		47 MoReg 875		
11 CSR 70-2.140	Division of Alcohol and Tobacco Control		47 MoReg 877		
11 CSR 70-2.150	Division of Alcohol and Tobacco Control		47 MoReg 879		
11 CSR 70-2.190	Division of Alcohol and Tobacco Control		47 MoReg 879		
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Department of Elementary and Secondary Education				
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5 CSR 20-400.220	Application for Substitute Certificate of License to Teach	47 MoReg 1419	Sept. 14, 2022	March 12, 2023
Divisional of Financial and Administrative Services				
5 CSR 30-660.090	Charter School Local Education Agency (LEA) Attendance Hour Reporting	47 MoReg 779	May 3, 2022	Feb. 9, 2023
Department of Social Services				
MO HealthNet Division				
13 CSR 70-15.010	Inpatient Hospital Services Reimbursement Methodology	47 MoReg 927	July 1, 2022	Feb. 23, 2023
13 CSR 70-15.015	Direct Medicaid Payments	47 MoReg 944	July 1, 2022	Feb. 23, 2023
13 CSR 70-15.110	Federal Reimbursement Allowance (FRA)	47 MoReg 950	July 1, 2022	Feb. 23, 2023
13 CSR 70-15.160	Outpatient Hospital Services Reimbursement Methodology	47 MoReg 956	July 1, 2022	Feb. 23, 2023
13 CSR 70-15.190	Out-of-State Hospital Services Reimbursement Plan	47 MoReg 1061	July 1, 2022	Feb. 23, 2023
13 CSR 70-15.220	Disproportionate Share Hospital (DSH) Payments	47 MoReg 1062	July 1, 2022	Feb. 23, 2023
13 CSR 70-15.230	Upper Payment Limit (UPL) Payment Methodology	47 MoReg 960	July 1, 2022	Feb. 23, 2023
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19 CSR 20-20.020	Reporting Infectious, Contagious, Communicable, or Dangerous Diseases	47 MoReg 1369	Aug. 29, 2022	Feb. 24, 2023
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19 CSR 30-1.002	Schedules of Controlled Substances	This Issue	Oct. 3, 2022	March 31, 2023
19 CSR 30-20.144	Standards and Guidelines for Essential Caregiver Program	This Issue	Sept. 29, 2022	March 27, 2023
19 CSR 30-100.010	Newborn Safety Incubators	47 MoReg 1265	Aug. 12, 2022	Feb. 23, 2023
Department of Commerce and Insurance				
State Board of Pharmacy				
20 CSR 2220-2.400	Compounding Standards of Practice	47 MoReg 965	June 21, 2022	Dec. 17, 2022

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo.

ORDER	SUBJECT MATTER	FILED DATE	PUBLICATION
	2022		
Proclamation	Convenes the One Hundred First General Assembly in the First Extraordinary Session of the Second Regular Session regarding extension of agricultural tax credits and to enact legislation amending Missouri income tax.	August 22, 2022	47 MoReg 1420
22-05	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to severe storm systems.	July 26, 2022	47 MoReg 1279
22-04	Declares a drought alert for 53 Missouri counties and orders the director of the Department of Natural Resources to activate and designate a chairperson for the Drought Assessment Committee.	July 21, 2022	47 MoReg 1277
Proclamation	In accordance with *Dobbs*, Section 188.017, RSMo is hereby effective as of the date of this order.	June 24, 2022	47 MoReg 1075
22-03	Terminates the State of Emergency declared in Executive Order 22-02.	February 7, 2022	47 MoReg 411
22-02	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted severe winter storm systems.	February 1, 2022	47 MoReg 304
22-01	Establishes and Designates the Missouri Early Childhood State Advisory Council.	January 7, 2022	47 MoReg 222
	2021		
21-13	Creates and establishes the Missouri Supply Chain Task Force.	November 22, 2021	47 MoReg 12
21-12	Designates members of his staff to have supervisory authority over departments, divisions and agencies of state government.	November 5, 2021	46 MoReg 2325
21-11	Orders state offices to be closed on Friday, November 26, 2021.	November 2, 2021	46 MoReg 2241
21-10	Orders steps to oppose federal COVID-19 vaccine mandates within all agencies, boards, commissions, and other entities within the executive branch of state government.	October 28, 2021	46 MoReg 2239
21-09	Terminates the state of emergency declared in Executive Order 20-02, declares a state of emergency, suspends certain regulations related to telemedicine and physical presence for executing documents, and allows state agencies to waive some regulatory requirements.	August 27, 2021	46 MoReg 1727
21-08	Designates members of his staff to have supervisory authority over departments, divisions and agencies of state government.	August 10, 2021	46 MoReg 1673
Proclamation	Convenes the First Extra Session of the First Regular Session of the One Hundred and First General Assembly for extending the Federal Reimbursement Allowances (FRA) and related allowances, taxes, and assessments necessary for funding MO HealthNet.	June 22, 2021	46 MoReg 1447
21-07	Extends Executive Order 20-02, Executive Order 20-04, Executive Order 20-05, Executive Order 20-06, and Executive Order 20-14 until August 31, 2021.	March 26, 2021	46 MoReg 750
21-06	Creates and establishes the Show Me Strong Recovery Task Force and rescinds Executive Order.	March 22, 2021	46 MoReg 748
21-05	Designates members of his staff to have supervisory authority over departments, divisions and agencies of state government.	February 24, 2021	46 MoReg 605

ORDER	SUBJECT MATTER	FILED DATE	PUBLICATION
21-04	Extends Executive Order 21-03 until February 28, 2021 and terminates Executive Order 20-17.	February 19, 2021	46 MoReg 603
21-03	Declares a State of Emergency and exempts hours of service requirements for vehicles transporting residential heating fuel until February 21, 2021.	February 11, 2021	46 MoReg 495
21-02	Establishes the Office of Childhood within the Department of Elementary and Secondary Education.	January 28, 2021	46 MoReg 394
21-01	Terminates Executive Orders 03-11 and 02-05, and modifies provisions of Executive Order 05-06.	January 7, 2021	46 MoReg 314

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JOHN R. ASHCROFT SECRETARY OF STATE

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